The Outlook

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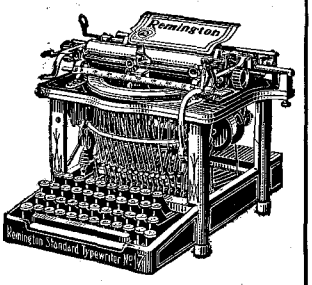

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The Outlook

SATURDAY, FEBRUARY 11, 1905

No Haste; No Halt President Roosevelt did a characteristic thing when he chose the members of the Union League Club of Philadelphia as the audience to whom he should address his views on the regulation of railroads. Instead of going to some place in the West where he might be certain of finding hearers whose sentiments he would voice, he went to a State in which vested interests preponderate, and in its chief city, at a banquet last week, gave his message in favor of Federal control. He began by reiterating Lincoln's faith in the whole people, and then bade his hearers, as business leaders, not to thwart but to guide the people in their undertaking to supervise and regulate corporate activity. The framers of the Constitution, he said, contemplated Federal control of inter-State commerce "in all its branches and aspects." If this control is to be exercised sanely, it must be gradually but surely developed. "There must be no hurry," were his words, "but there must also be no halt." The way to avoid violent change is to consent to moderate change. Just what character, in detail, the enlargement of Federal control should take he did not undertake to say, except to point out that power over rates must be lodged in some tribunal. This must be done, he declared, not in the interest of the poor man, not in the interest of any class, but in the interest of the whole Republic that knows no distinction between rich and poor, no distinction between any classes. It is interesting to note in connection with this that on the same day President Roosevelt made an address to the midshipmen at Annapolis—the men who are in training to fight on the water—in the course of which he emphasized the importance of the arbitration treaties before the Senate. In thus speaking to business men concerning Governmental control of business, and to naval men concerning the substitution of arbitration for war, the President instinctively illustrated the principle he enunciated, that what concerns a part of a nation concerns the whole, that the man who has been taught the arts of war is as concerned as the clergyman in the arts of peace, and that the owner of property is as sure to gain as is the laborer by righteous control of property.

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The Beef Trust Last week the United States Supreme Court decided that the Beef Trust was an illegal combination in restraint of trade. The Court affirmed the injunction issued last spring by Judge Grosscup in Chicago restraining the meat packers from conspiring to depress the price of cattle and to raise the price of dressed beef. It had been practically established in Judge Grosscup's court that, by mutual agreement among themselves, the packers each day fixed the price of live cattle, a price which stock-raisers were compelled to accept, and that the selling price of the dressed product was also mutually established. The Government's bill, as presented by Attorney-General Moody in the Supreme Court, charged a combination of a dominant proportion of the dealers in fresh meat through the United States (1) not to bid against one another in the live-stock markets of the different States; (2) to bid up prices for a few days so as to induce cattlemen to send their stock to the stock-yards; (3) to fix prices at which they would sell, and hence, when necessary, to restrict shipments of meat; (4) to establish a uniform rule of credit to dealers and to keep a blacklist; (5) to make uniform and improper charges for cartage; and (6) to obtain less than lawful rates from the railways to the exclusion of all competitors. Mr. Justice Holmes, who wrote the opinion of the Court, said that when

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cattle are sent for sale from a place in one State, with the expectation that they will end their transit after purchase in another, and when in effect they do so, with only the interruption necessary to find a purchaser at the stock-yards; that when the sales of meats are by persons in one State to persons in other States and the shipments to other States are part of the transaction, the current thus existing is a current of commerce among the States. Furthermore—and this phrase marks the extreme limit yet reached by the Federal Government in its control of inter-State commerce—the Court said:

> We do not mean to imply that the rule which marks the point at which State taxation or regulation becomes permissible is necessarily beyond the scope of interference by Congress in cases where such interference is deemed necessary for the protection of commerce among the States.

Summing up, Mr. Justice Holmes declared that, while the defendants cannot be ordered to compete, they may properly be forbidden to give directions or to make agreements not to compete. Thus the decision sustains in all respects the contentions of the Government. Inter-State commerce is defined anew, and the decision condemns as an unlawful restraint of trade any combination among independent dealers to suppress competition, to fix and maintain uniform prices, and to obtain preferential rates for transportation. In two respects this decision is peculiarly impressive. First, it is unanimous. Secondly, it marks an important step in our elaboration of a system of Federal control of commerce.

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Railway Rate Regulation

Accompanying the significant address by President Roosevelt at the Union League Club in Philadelphia, and the significant decision in the Beef Trust case, affirming the large powers of Congress over inter-State commerce, comes the omnibus measure now formulated by the House Committee on Inter-State and Foreign Commerce from the Hepburn, Townsend, and Esch bills. This is the latest legislative product in the matter of railway rate regulation. It gives to the Inter-State Commerce Commission power to fix rates in case of complaint; this Commission is increased from five to seven members, each having a salary of $10,000 a year; and a Court of Transportation is created, composed of five Circuit Judges of the United States, no two of whom shall be from the same judicial circuit. These judges are to be designated by the President for terms of one, two, three, four, and five years respectively, from April 1, 1905, and as their terms expire the President is to appoint their successors from the Circuit Judges for terms of five years each. The court is to hold four regular sessions annually in Washington, and may hold special sessions at other places "when justice would be thereby promoted." To this court "exclusive original jurisdiction" is granted in all cases brought under the provisions of either this bill or the Inter-State Commerce Act. Proceedings to force contumacious witnesses to testify before the Inter-State Commerce Commission may be brought in any court of original jurisdiction. The order of the Commission shall, of its own force, become operative thirty days after notice has been given, but at any time within sixty days any persons directly affected may institute proceedings in the Court of Transportation, sitting as a court of equity, to have it reviewed. All proceedings before the Commission are to be sent to the Court of Transportation within ten days after notice for review has been given, and the proceedings before the Court are to be conducted by the Attorney-General. A penalty of five thousand dollars a day is imposed for each day's violation of the Commission's rulings. It appears to us unfortunate that this measure is to be driven through the House with sparse time for debate and with no opportunity for amendments, because the effect of such action is to reinforce the impression that the House of Representatives acts without deliberation, and so to make the country more patient with the Senate for deliberating without action. The questions involved in the proposed rate regulation ought to be thoroughly debated, and there ought to be ample opportunity for the consideration of all possible amendments in the Committee of the House of Representatives. The refusal by the majority to

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allow this opportunity will be likely to result in more haste and less speed.

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Two and a Half Years' Progress

The decision in the Beef Trust case and the resolve of the Republican majority to carry through the House of Representatives at this session a measure for the effective regulation of railroad rates marks the progress which has been made in public sentiment since August 23, 1902, when Mr. Roosevelt in his speech at Providence, Rhode Island, initiated his campaign against the trusts and laid down the fundamental principle that the Nation must assume the power of control over great capitalistic organizations by legislation, and, "if necessary, by Constitutional amendment." That address was received with some applause but more criticism; and it unquestionably set at work influences which were supposed to be potent, though they proved not to be effective, to defeat Mr. Roosevelt's nomination for the Presidency. That was two years and a half ago. Now the Supreme Court of the United States affirms without a dissenting voice that Congress has, under the Constitution, practically unlimited power of control over all corporations engaged in inter-State commerce, and that a business which involves purchase in one State for the purpose of transporting and selling in another State is inter-State commerce; and the House of Representatives declares its purpose—this much we must assume, though the final action of the House has not yet been taken—to use this power to compel the administrators of the public highways to share their control of these highways with the people, by submitting their administration of them to Governmental supervision, and, whenever justice requires, to Governmental revision or reversal. We do not wonder that men who have only just begun to realize the existence of this question are startled at the progress which public opinion has made, and are clamorous for further and fuller discussion; nor that others who have been trained in the belief that the prosperity of the Nation depends upon leaving everything to individual liberty and natural laws look with vague apprehension upon a movement which threatens, or promises, to bring that individual liberty under Governmental control, and to use those natural laws by means of Governmental direction. Since The Outlook for at least fifteen years has been advocating such Government control of the railroads, and maintaining that they are true public highways and not private property, and that the owners of them are but part owners, and are public servants administering a public trust, The Outlook shares neither the surprise of the startled nor the fears of the alarmed. It would seem to us that a little fuller knowledge of English railroad history would have made this Nation's tardy acceptance of the fundamental principle less surprising to some, and the successful operation of Governmental control in England would make the advent of a similar era of control in this country less alarming to others. We should add that the Rate Regulation Bill is supplemented by another, known as the Overstreet Bill, which, if enacted, will bring the private-car lines under the provisions of the Elkins Act, passed in 1903, which forbids rebates.

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The British Railway Court

That rate regulation does not necessarily mean "rate reduction" appears to be evident from the fact that since 1888 Great Britain has had rate regulation, and freight rates on the railways of Great Britain are much higher than in this country. But British manufacturers and traders have the advantage of something like uniformity in rates and terminal charges, and since the Railway Commission was reorganized in 1888, reinforced by judges from the higher courts and otherwise greatly strengthened, British manufacturers have been but little worried with rebates and other advantages conceded by railway companies to their competitors. They complain, of course, of rates; complain that they are too high; but they seldom complain of discriminations either in favor of individuals, manufacturers, or of particular industrial districts; for either in the Railway Court or at the Board of

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Trade the British manufacturers, since the famous Railways and Canals Act of 1888, have had a quick and certain remedy for any grievance they may have against the railway companies. The year 1888 was as important in British railway history as 1905 promises to be in the railroad annals of the United States. There was much complaint against the British railways in the middle eighties, and in 1888 the Salisbury Government passed the Act under which the Railway Commission was strengthened and its powers enormously enlarged. The Commission was then elevated to the importance and dignity of the Court of King's Bench or any other of the higher courts, and, like these courts, it can insist on the production of documents and commit for contempt. Two Commissioners at salaries of $15,000 a year were appointed, one of whom, in accordance with the terms of the Act, must be experienced in railway work. It was also provided that three ex-officio Commissioners should be attached to the Court, these to be judges drawn for a term of service with the Railway Commission—one from the courts in England, one from those of Scotland, and the third from Ireland. The Railway Court deals with charges of undue preferences and discriminations which tell either against individual manufacturers or against particular localities; and when charges of preference are made, the Act of 1888 throws on the railway company the onus of proving that there is no undue preference. Moreover, the Court has large powers in dealing with relations between different railway companies, and also concerning disputes as to terminal charges and facilities, and other services rendered by the railway companies to the public. One clause of this Act of 1888 provided that the railway companies should submit revised schedules of classifications and charges to the Board of Trade. It was a year before all these schedules were in the hands of the Board of Trade, but by 1890 this work was all completed, and during five or six months of that year a Commission appointed by the Board of Trade, with Lord Dunraven as President, sat at Westminster to hear the arguments against and for each and every railway company's schedule. The traders were represented by counsel and called witnesses, and similar legal help and facilities were afforded the railway companies. In the end each company's schedule was settled. Each schedule was then submitted by the Board of Trade to the House of Commons in the form of a provisional order. What changes were deemed necessary were made at this stage; then each schedule was given the sanction of Parliament. It practically became an Act of Parliament, and the charges of every railway company are now strictly regulated by this detailed and carefully enacted legislation of 1890. The railway companies are compelled to sell printed copies of their schedules giving classifications and rates, and to keep their rate lists posted up at their freight and parcel depots, and most of the litigation which nowadays reaches the Railway Court arises out of the interpretation by the railway companies of the rates thus fixed by Parliament.

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Secretary Moody and the Millers

The United States no longer produces enough No. 1 hard wheat, a necessity in the manufacture of flour for export. Besides the increasing scarcity of this valuable brand, the past year, so millers claim, has witnessed a decline also in its quality. From these causes, and also from that of the less abundant harvest, our flour export has declined startlingly. In December, 1904, we sent out less than eight hundred thousand barrels, compared with more than two million in the corresponding month of 1903. Our experience last December only repeated that of previous months. Our millers can no longer compete with foreign millers in the world's markets unless we import Canadian No. 1 hard wheat, of which there is an increasing supply in the development of the vast wheat region in the Canadian Northwest. Our millers must pay twenty-five cents a bushel duty for their imported wheat. They have been importing it in considerable quantity, but, with the scarcity of our own supply and the necessity to fill foreign orders, they naturally rebel at the

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duty. The Treasury Department grants a drawback on imported wheat manufactured exclusively into flour for export, its agents satisfying themselves by personal examination that all of the flour thus imported is exported. Our millers, however, have long contended that they should also be entitled to a drawback of ninety-nine per cent. where the imported domestic wheat is mixed with our own for export, and the Treasury Department has been furnished with accurate and satisfactory evidence as to the amount of imported wheat actually used. When the millers appealed to Mr. Shaw, Secretary of the Treasury, for his opinion, he was inclined to make a favorable decision, but before doing so referred the matter to Mr. Moody, Attorney-General. Last week Mr. Moody issued a statement upholding Secretary Shaw. He says:

> Where it is proposed to export a product manufactured in the United States from a combination of domestic material and foreign material which has paid duty, and the customs officials can identify the foreign material, and can ascertain to their satisfaction, by the evidence of books of account or otherwise, the quantity or measure of the foreign material actually present in the completed article, the exporter is entitled to receive a drawback of ninety-nine per cent. of the duties paid upon the imported material thus ascertained to be actually present in the completed article.

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The Farmer and the Miller

This is all very well for the miller. But how about the farmer? Has he nothing to say in the matter? He has. He is saying it through Senator Hansbrough, of North Dakota, who has introduced a bill declaring that, in the minds of the framers of the Dingley Act, the language used was not supposed to be capable of the interpretation now given to it. In view of the scarcity of American wheat and its consequent high prices, we are not surprised to see the farmers claim that the drawback benefits the millers only. Certainly, if any class needs protection, the agriculturist class needs it not less than the manufacturers. And if this decision goes into general operation and is, on appeal to the courts, confirmed, we shall be surprised if the consumers do not also begin to think that they have some rights which should be protected. For under this decision not merely the millers but all manufacturers are entitled to a drawback on all raw material imported for all articles manufactured for export. This decision would, if we understand it aright, practically give free lumber, free wool, free hides, as well as free wheat, but it would give the benefit of this freedom from the import duty only to purchasers abroad. In other words, in order to protect our American manufacturers, all American consumers would pay anywhere from ten to fifty per cent. more for articles manufactured in America than would be charged for the same articles to Englishmen in Liverpool or London. It has been contended by the advocates of the protective system that the duties are paid by the foreigner. We wonder what such an advocate would say when he finds himself paying from ten to fifty per cent. more for the American protected article than the foreigner pays for the same American article at home.

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Santo Domingo

The statement, widely published in the press of this country, that fiscal agents of the United States had taken charge of one or more custom-houses in Santo Domingo under the agreement or protocol which has lately been signed, is now known to be a complete misunderstanding. What gave rise to this error was the fact that a fiscal agent of the United States is now and has for some time been in charge of customs at Porto Plata. This, however, has nothing whatever to do with the new agreement with Santo Domingo. It may be remembered that for some years the Government of Santo Domingo had a contract with an American financial syndicate under which the latter undertook to collect taxes, to pay Governmental expenses, to make improvements, and to repay itself with profits as agreed out of the tax receipts. This curious method of farming out the finances of the republic lasted for a few years, but revolution followed revolution, and new administrations in Santo Domingo refused to carry out the agreement. The matter got into the courts,

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and was finally referred to an arbitration commission composed of the Hon. John G. Carlisle, Don Manuel de J. Galvan, and Judge George Gray. It is under the award made by this arbitration commission that the United States some time ago put its fiscal agent in charge at Porto Plata in default of payment of awards made by the commission, and it may in the same way place agents in charge of the customs receipts at other ports. The protocol lately signed contained a clause stating that it should go into effect on the first of February, 1905, and another clause provided that the present custom-house employees shall be considered as acting under the provisions of the agreement from and after the date upon which it takes effect. These clauses not unnaturally led to the mistake above referred to, but it is now evident that nothing new is to be done as regards Santo Domingo until a treaty has been made. As The Outlook stated last week, the new protocol—the full text of which has now been published in this country—is to be submitted in regular form to the United States Senate, and none of its provisions will be put into force until the treaty has been properly ratified.

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Congress: Various Measures

A so-called anti-injunction bill has been introduced into the House by Mr. Jenkins, of Wisconsin, the Chairman of the Judiciary Committee, with the approval of the Bureau of Corporations, and also, it is understood, with that of the Attorney-General and the President. It is extremely brief, and provides that "in cases involving or growing out of labor disputes, neither an injunction nor a temporary restraining order shall be granted, except upon due notice to the opposite party by the court in term, or by a judge thereof in vacation, after hearing, which may be *ex parte* if the adverse party does not appear at the time and place ordered." It is explained that there is no intention whatever to limit the powers of the court, but only to insure a proper consideration by the court of the facts in such cases, before the writ is issued, under an already existing rule of equity; that is, the bill would apply this rule specifically to labor cases. It is intended that the preliminary hearing should prevent hasty and unwise grants of injunctions, and it is said that the cases in which complaint on this score has been most vigorous have been such that this preliminary hearing would almost certainly have obviated the cause of complaint. The press reports of Congressional proceedings state that in the Judiciary Committee an anti-injunction bill has been indefinitely postponed; but, as we understand it, this is not the bill outlined above, which has been introduced with the hope of affording a basis of legislative action which would be acceptable to labor and capital alike.——A bill which may prove of great value in insuring publicity as to corporations was authorized by the House Committee of the Judiciary to be reported favorably; it requires all corporations engaged in inter-State commerce to make annual reports to the Commissioner of Corporations, the reports to be filed by February 1 of each year, and to cover the preceding year up to December 31. The report is to be made under oath, and to contain the facts about the legal organization of the corporation, its constituent companies, its capitalization, the amount and value of its stocks and bonds, its earning capacity, and other relevant matters.——A bill has been prepared by the Commissioner of Corporations, Mr. Garfield, abolishing the charters of corporations incorporated under the laws of the District of Columbia, but which have not begun actual business, and of whose capital stock ten per cent. has not been paid in. Mr. Gallinger introduced it in the Senate. The status of corporations under the peculiar legal conditions in the District has long excited unfavorable attention.——A spirited debate on the distribution of seeds by the Agricultural Department took place last week in the Senate. Mr. Lodge declared the practice a moss-grown humbug and a jest which costs the people $200,000 a year, while Mr. Platt, of Connecticut, said that the bulk of the money appropriated was used in buying ordinary seeds in the market, and that the whole thing was an arrant humbug.——A vote on

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the Statehood Bill is expected early this week. The opinion is strengthening that the proposed joint admission of Arizona and New Mexico cannot be carried through, while the admission of Oklahoma, with or without Indian Territory, is more probable.——The answer of Judge Swayne to the articles of impeachment was presented in the Senate last week. In brief, it admits the correctness of most of the facts alleged, but defends them as perfectly valid and legal; thus, the charge that Judge Swayne had received ten dollars a day for expenses when his actual expenses were not so great is answered by the statement that the law has been generally interpreted by Federal Judges to mean that the ten dollars a day was a fixed and definite allowance not dependable upon exact expenditures.

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Governor Folk and the Lobby

In his inaugural address Governor Folk, of Missouri, asserted that while every interest affected by proposed legislation should have the opportunity to be heard at the capital, "the maintenance of a professional lobby breeds corruption, and should not be permitted." Thus far he has been remarkably successful in carrying out the policy implied in the address. In former years the professional lobby maintained by the railroads at Jefferson City, Missouri, was a prolific source of scandal. By a lavish distribution of railway passes, the acceptance of which by Missouri legislators is contrary to law, it was accustomed to lay the foundation for a control of legislation that constituted a real menace to the State. For its power was used, not only to secure the passage of bad bills, but also to blackmail various business interests through the introduction of "sand-bagging" measures. At the present legislative session the familiar professional lobbyists have been conspicuously absent, and the distribution of passes has been greatly restricted, if not entirely suppressed. It has been reported that after his election Mr. Folk secured promises from the heads of the most important corporations of the State that their agents should visit the capital only when there were measures before committees that required their attention. On such occasions it was agreed that the corporations' representatives should remain in town only for a day unless the Governor should be satisfied that their presence was required for a longer time. In return, Mr. Folk, it is said, pledged himself to protect the corporations from the "sand-bagging" bills. Up to this time the agreement has apparently been faithfully observed by the corporations. A few days ago, for instance, one of the most conspicuous of the lobbyists, who has made Jefferson City his headquarters during legislative sessions for years, visited the town for a few hours. He explained to the newspaper men that he had come merely to arrange for a committee hearing and that he had already reported to the Governor. Shortly afterwards a correspondent spoke to Mr. Folk about a familiar old "sand-bagging" measure that was making rapid progress in one of the Houses. "Yes, I know about it," the Governor replied. "I am going to veto it unless the corporations that are interested bring their lobbies here." While there are likely to be attempts to influence legislation corruptly in Missouri before the session closes, Governor Folk is apparently going to be able to accomplish more toward keeping the lobby in check than even his friends had anticipated.

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The Police Situation in New York City

In spite of the fact that Commissioner McAdoo, of the Police Department of New York City, is not only an efficient administrator, but a man of integrity and of public spirit, the police force has remained to a large degree corrupt and inefficient. Many occurrences within a few weeks have brought to the notice of the citizens of New York what was before a matter of "common knowledge." Badly patrolled streets, inadequately protected householders, unchecked violations of the criminal law, have become so patent that apologists on behalf of the police have either been silenced or have become ridiculous. This does does not mean, of course, a state in any respect approaching

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anarchy, or at any time resembling riot. For many citizens this city seems as safe as ever; but the fact remains that the police force is not at all meeting its responsibilities as the protector of the public. A meeting of representative citizens at the Chamber of Commerce last week considered the problem of police reform, and appointed a Committee of Nine to propose plans. This body of citizens has undertaken, not to antagonize, but to aid the municipal administration, and they have been assured of the co-operation of Mayor McClellan and Commissioner McAdoo. One thing is clear: the demoralization of the police force cannot be laid at the door either of the Commissioner himself, nor, on the whole, of the personnel of the force. Policemen in New York are by no means so far below common standards of honesty and efficiency as the work of the Department would indicate. The present condition can be accounted for largely by the absurd situation in which every policeman finds himself. He is secure of holding his place unless evidence against him is of the sort that will be sustained in a court of law; for every policeman, if dismissed, has the right to appeal to the courts for reinstatement. At the same time, the superior officers—the Commissioner and his Deputy Commissioners—are in positions of great insecurity; their tenure of office is at most two years—the life of a city administration—and may be less. Until the Police Commissioner holds the power, which every commander of military forces has, to dismiss his subordinates, subject to the will of no civil court, but only to a tribunal of his own organization, the policemen of New York City will care little what Commissioners may attempt to do, or what bodies of citizens may say.

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French Ministerial Policy

The new French Cabinet formed by M. Rouvier began its career by securing from the Chamber of Deputies a vote of confidence by a majority of over 100; and as the programme outlined by the new Premier does not differ in any radical way from the programme of his predecessor, M. Combes, this vote confirms the opinion expressed in these columns that the change from one Prime Minister to another involves no radical change of policy. It will mark a change of method and a moderation of tone rather than a departure from the lines of action so vigorously pursued by the late Premier, a man of great force and of unquestioned disinterestedness of spirit. M. Rouvier, his Finance Minister, showed himself resourceful and inventive in a very difficult position by attacking a subject which French Ministers of Finance have usually evaded and attempting to simplify the present complicated finance system of the Republic. He proposed a scheme of taxation which should substitute for the present intricate system two sources of revenue—an income tax and a tax on the rental of houses. It is probable, therefore, that the question of income tax, which held a secondary place in the interest of M. Combes, will hold a first place in the interest of M. Rouvier. The latter will continue, with some moderation of application, the policy of his predecessor in regard to the abolition of the Concordat and to clerical education, but the income tax will take the first place in the programme of the new Ministry, and as a parliamentary measure will be pressed in advance of the abolition of the Concordat. The Radical Socialists condemn the proposed scheme of M. Rouvier because it does not go far enough to suit them; they would like a tax which would practically take the entire income after it reaches a certain high point. The French are, however, very conservative in matters of property; and while it is likely that M. Rouvier will succeed in carrying through his scheme in regard to the income tax, it is likely to be a conservative one. The fact that M. Delcassé continues to hold the portfolio of the Foreign Ministry means that there will be a continuity of his admirable foreign policy. His attitude during the recent excitement over events in Russia, which showed itself in the Chamber of Deputies in the most inflammatory denunciations of the Czar, was that of a vigorous and cool-minded statesman. Whatever his personal sympathies may have been, he dealt with the situa-

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tion from the standpoint of a responsible Minister. The new Premier is not only a financial expert, but he is also a parliamentary leader of great adroitness and experience.

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The Russian Disturbances Continue

Warsaw last week witnessed scenes of violence only less horrible than the St. Petersburg massacres. Strikes and demonstrations of workmen were followed by street disorders and by the killing of many people. Some reports say that three hundred is a moderate estimate for the week. There have also been collisions between strikers and employees who were returning to work, and, more regrettable still, there have been reported many instances of pillage. It is clear that neither strikers nor political agitators countenanced pillage, as was grimly proved when some of their leaders visited suspected houses, and, in some cases where plunder was found concealed, even killed the criminals. Not only in Warsaw, but throughout Poland, the situation has been serious and trade and industry at a standstill, while the fact that in Poland for months thousands of men have been out of work and are almost starving adds to the gravity of the situation. The Czar has received two delegations of workingmen, but, so far as cabled accounts show, did not listen to any statement of their grievances, but merely lectured them on the enormity of presenting their petitions by a public procession and demonstration, and asserted that "the recent lamentable events, with such sad but inevitable results, have occurred because you allowed yourselves to be led astray by traitors and enemies to our country." Promises of a general nature were made by the Czar that if the strikers would have patience their condition would be looked into. Among the remonstrances which have reached the Czar, that from the Provincial Assembly of Kharkoff is so forcible and eloquent that we quote from it at some length:

> We regard it as our duty to tell you, sire, that not only the horrors of war and grief for our reverses darken the cradle of your heir, but other clouds hang over it and over the whole country as well. Long years of bureaucratic oppression, violence, arbitrary rule, impoverishment, and the total disfranchisement of the people, the utter violation of the principle of freedom of the person and freedom of thought and conscience, have created a state of things in the empire which can no longer be endured. These same conditions are bringing down the future storm of which the first thunderous symptoms are already audible. . . .
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> It pleases your Majesty in the ukase of December 25 to sketch a series of legislative reforms and to charge a committee of the Ministers to realize them; but the Ministers are ignorant of our needs, and only representatives of the Russian land, freely elected by the population, are capable of carrying out your intentions. Your great forebear, Peter I., said it was vain to inscribe laws if they were not to be fulfilled, and these words are engraved on the mirror of Justice in all the Government buildings of the smallest Russian towns; yet Russia is still governed, not by laws, but by circulars and provisional rules which evade and violate the laws.
>
> It is not enough to make laws. It is indispensable to guarantee their observance. It is indispensable to guarantee to the people their rights. It is indispensable to exercise wakeful vigilance. No bureaucratic system can accomplish this. The bureaucracy has already forfeited the confidence of the country. Neither is any monarch, however great, able to know everything, to act for all, and alone to be responsible before God and the nation for the destinies of his fatherland.
>
> Do not trust, sire, to negligent and wily servants, but repose confidence in chosen representatives of the nation. Hasten to convoke them to a permanent chamber endowed with legislative powers and qualified to see that the laws are not broken, that the treasury is not robbed, and that the milliards accumulated from the nation's mites are employed suitably and for proper purposes.

Almost equally plain spoken is one of two addresses from the Assembly of Nobles of Moscow and its Province. Those nobles who signed it severely criticise the present form of rule, object to "patchwork reform," and declare that no question in Russia can be settled until reform begins at the top. These addresses are only two instances of the boldness and directness with which public opinion in Russia is now at last making itself heard. Reports of impending changes in the direction of liberalism and reports of the success of the Grand Dukes in persuading the Czar to adhere to the old order have alternated during the week; the only fact in the situation that is clear is the Czar's vacillation and incapacity to deal with a crisis.

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Ths War in the East

It is now evident that the five days' fighting which lately took place between the Japanese and Russians in Manchuria was in its character more than a reconnoissance in force; it was a rather serious attempt on the part of the Russians to drive the Japanese back on the western side. The total result did not change the relative position of the armies seriously; both are now back in practically their old positions. The series of engagements, however, was really a Japanese success, both because the number of Russians killed and wounded was at least double that of the Japanese (it has been estimated as considerably over ten thousand), and because the Japanese troops showed their ability to hold a defensive position as ably as they have carried on the attack. General Grippenberg was in charge of this Russian advance, and, if repeated reports are to be believed, serious dissension has arisen between General Grippenberg and General Kuropatkin. It is alleged that the former has been recalled, that he complains that his movement was not properly supported by his superior, and that General Kuropatkin himself has applied for a recall on the ground that his health is broken. These rumors must of course be taken with due allowance for the fact that a flood of contradictory telegrams is constantly making its way westward from Mukden. A question of vital importance in the naval strategy of the war, but one to which little attention seems to have been given, is, How long will France permit Admiral Rojesvensky's squadron to use Madagascar as a rendezvous and base of supplies? Some weeks ago it was announced that the Baltic fleet would return home, but it has not done so, and, on the contrary, last week brought the news that a reinforcement has sailed from a French port on the northern coast of Africa to meet the rest of the fleet in Madagascar. Apparently Admiral Rojesvensky has used the ports of Madagascar just as he pleased and for many weeks. The situation is humorously expressed by "Punch" in a cartoon which represents the Governor of Madagascar as anxious to bid farewell to Admiral Rojesvensky and saying to him, "Must you stay? Can't you go?"

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The Peabody Fund

Mr. George Peabody, the American banker who was so successful in London, in February, 1868, at that stage in the period of Reconstruction when feeling was most bitter, made a deed of gift of one million dollars for the educational needs of those "portions of our beloved and common country which had suffered from the disastrous ravages and not less distressing consequences of civil war." This gift was later increased to three million dollars, of which about eight hundred thousand was in bonds issued by Florida and Mississippi which were subsequently repudiated. This gift was probably the largest ever made up to that time by a private individual for educational purposes. It represented not only the broadest generosity, but also the most far-seeing patriotism. It may be regarded as one of the first steps towards real reconstruction of the South and the real reunion of the country. It involved the recognition of the immense losses inflicted on the South by the war, and of the fact that by education alone could the wheels of progress again be set in motion, the Southern section of the country advance along the path upon which it is now so rapidly moving, and a new era of nationality be inaugurated. This fund was placed in the hands of a body of trustees of great experience and solid judgment, and after careful deliberation it was decided to use the interest of the fund, not for building up a few schools, but for lending a hand wherever, in the education of white or black, a promising school could be put on its feet or an overburdened community helped to educational privileges. The general agent of the fund for many years was Dr. J. L. M. Curry, who had been both in the Confederate Congress and the Confederate army, who was a devoted Southerner in feeling, but not in any sense a Southerner whose interests were bounded by sectional or race lines. Special attention was given to the development of

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normal schools, because it was felt that the education of teachers was the key to the position. In 1882 came the Slater gift of one million dollars, devoted to the education of the freedmen; and, much later and more significant than all, has come the organization of the Southern Education Board and the General Education Board, and those conferences which have done so much to bring together the most progressive men of the North and South, and by sympathy and practical aid to stand behind and push forward that educational movement in the South which is far more significant than anything that has happened in that section politically since the close of the war. The substantial advance made along the lines which Mr. Peabody had in mind has been so marked that the trustees of the Peabody Education Fund have voted to dissolve their trust, and have appropriated one million dollars for the use of the George Peabody School for Teachers at Nashville, Tennessee. This college, which is an institution for the training of teachers and has long received aid from the fund, commanded the special interest of Dr. Curry, and, by reason of its efficiency and its position, is regarded as one of the most useful centers for the training of teachers in the South. Its work is confined to white men. A fund amounting to one million two hundred thousand dollars still remains to be appropriated, and this will be distributed among other educational institutions at the next meeting of the trustees, in October.

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President Eliot on Football

The annual reports of President Eliot always contain some matter which is of general interest outside academic circles. What he has to say this year about the game of football as at present played and managed in the colleges deserves wide attention, for it involves a very serious evil. In his belief, the game has become injurious to rational college and school life on account of its extreme publicity, the large proportion of injuries among the players, the absorption of the minds of students for months, and the disproportionate exaltation of the football hero. In Dr. Eliot's judgment, "the crude and vociferous criticism, blame, and praise which fall to the lot of the football player can be of no possible advantage to any young man at the opening of his active life." The risks of the game, he thinks, are exaggerated and unreasonable; in a well-managed college, where only men are allowed to play who are in proper condition, the risk is not unusually great; but the distraction from proper studies during the football season is a mortifying experience to all responsible for the direction of colleges. The state of distrust and hostility between colleges is hurtful, and the precautions against trickery show what the game has come to be. The most serious objection, however, may be stated in Dr. Eliot's own words:

> None of these things, however, enter into the main objection to the game, for the main objection lies against the moral quality. As developed in this country, it has become a game in which the actions of individual players can often be entirely concealed, not only from the mass of spectators on the benches but from the nearer observers on the side lines, or even the umpire, who gets as near as possible to the combatants. The game is played under established and recognized rules, but the uniform enforcement of these rules is impossible, and violations of the rules are in many respects highly profitable toward victory. Thus, coaching from the side lines, offside play, holding and disabling opponents by kneeing and kicking, and by heavy blows on the head, particularly about the eyes, nose, and jaw, are unquestionably profitable toward victory; and no means have been found of preventing these violations of rules by both players and coaches. Some players, to be sure, are never guilty of them. The rules forbid unnecessary roughness in play, but there is wide latitude in the construction of unnecessary roughness. To strike a player with clenched fists is unnecessary roughness; to give him a blow equally severe with the base of the open hand is not unnecessary roughness. Even in perfectly visible cases of violation of rules the game officials often fail to punish the offenders, particularly if an offender on one side can be offset by an offender on the other, and both are allowed to remain in the game.

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The Evils of the Game

Dr. Eliot holds that the grave evils in football arise from the immoderate desire to win intercollegiate games, the collisions in masses which make foul play invisible,

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the profit from violations of rules, and the misleading assimilation of the game to war as regards its strategy and its ethics. There are two opinions as to whether or not football victories contribute to the growth and reputation of an institution; but if a university is primarily a place for training men for honorable and efficient service, there can be but one opinion on the question whether a game played under the actual conditions of football to-day can be a useful element in the training of young men. The game of football as played between colleges, it must be remembered, is entirely distinct from the general athletic training and physical culture which have come to be, as they ought to be, an important part of school and college education. The serious evils of football as now practiced arise from the fact that it is taken out of its proper relation to the athletic life of the institution, and that it very seriously lowers the tone and diminishes the interest in that life. It so over-emphasizes the element of competition that what ought to be the inclusive athletic activity of an institution centers entirely on a few men, and the great mass of the students drop out of the game unless they show a capacity which marks them as picked men for use in the "big games." A serious objection to present-day football, too, lies in the fact that it is repulsive to the eye; the whole aspect of it is that of an awkward and barbarous struggle. Nothing would have shocked the Greeks more, who understood gymnastics in its relation to education more clearly than any other people, than the spectacle of a modern game of football between two colleges. The game is so firmly intrenched now in the affections and interests of students that it will not be dislodged and ought not to be dislodged; but if it is to be a game of gentlemen and not of professionals, of men who value fairness and honor more than victory, the present method of playing must be seriously modified. No more thoughtful and well-balanced discussion of the matter of athletics has been made of late than that contributed to this issue of The Outlook by Professor Paul van Dyke, of the University at Princeton.

Model Tenements

By the gift of Mr. Henry Phipps, a wealthy steel manufacturer of Pittsburg, a fund of one million dollars has been formed for the erection of model tenements in New York City. The fund will be administered by a board of trustees composed of a number of men interested in philanthropic work, especially housing reform. This board includes Mayor McClellan as a member ex officio, Robert W. De Forest, former Tenement-House Commissioner of New York City, Isidor Straus, John W. Arbuckle, Dr. E. R. L. Gould, and other prominent men. Work is to be begun as soon as suitable sites for the buildings can be obtained. It is the hope of Mr. Phipps that the buildings can earn four per cent. on the investment, and this money is to be used for the construction of additional tenements. The buildings will be constructed in the most approved manner, and rooms and apartments will not be rented at less than the market rate. This fund will be similar in character to the Peabody Donation Fund which has been in existence for forty years in London, and which increased in thirty years from about two and a half million to about five and a half million dollars, providing in that time over five thousand apartments of from one to four rooms, which are continually in demand and which by force of competition have materially improved the standard of living in surrounding districts. In New York City a similar experiment has been tried, on a purely business basis, however, by a company of which Dr. E. R. L. Gould, one of the trustees of the new fund, is president. For eight years they have been erecting and renting model tenements on the East Side successfully. They have proved that there is a real demand for the model tenement, and that it can be built and rented profitably as a business investment. The success of these experiments and similar ones in other cities gives good ground for the assurance that at least a partial solution of the housing problem may be obtained by these methods. In some cities, like Philadelphia and Baltimore, where the congestion of population which is found in London and New York does not

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exist, the tenement has not been introduced and is not needed. The building of model tenements in such cities would be a step backward. Even the best tenement is only a substitute for detached dwellings, and should be used only where circumstances compel it.

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What Union Seminary Has Gained and May Lose

No theological seminary in this country has been more efficiently responsive to the necessity of training divinity students for a present-day ministry than the Union Theological Seminary of New York. It has planned its work under the conviction that the minister of to-day cannot be a spiritual leader unless he is, in intellectual equipment, practical experience, and human sympathy, a man of to-day. It has, moreover, not only recognized its responsibility to the ministry, but has accepted a responsibility to the community at large in ways that cannot be here enumerated but that evince a disposition altogether public-spirited. It is therefore particularly deserving of the generous benefaction which has come to it from the hands of a donor who at present withholds his name from the public. This gift, the largest, it is said, ever made to a theological seminary, amounting to one million one hundred thousand dollars, includes land on the heights near Riverside Drive and in the neighborhood of Columbia University, with which the Seminary has been in affiliation. To this fine site it seems definitely assumed, though not officially announced, that the Seminary will be ultimately removed. In that case the surroundings of a crowded city will be exchanged for an academic atmosphere. This will bring many intellectual advantages, the proximity of a great university library being not the least of them. Will it also bring advantages of the sort that will add to the student's equipment for the practical and very human work of the ministry? The noblest bequest that Dean Hoffman left to the General Theological Seminary of New York was the fact that he anchored that Seminary to its place in the midst of a dense population, where theological students could not escape being daily confronted with the pressing problems of human life. If the Union Seminary abandons the place where human life is insistent, to go to a place where human life is merely accessible, it may gain a library at the expense of a great clinic. It is certain that the wise enthusiasm for humanity which has inspired the Seminary to purchase six houses on the East Side, where a settlement work is carried on largely by its students, will need to be even further reinforced in order to keep pace with the enlargement of its facilities for academic study.

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The Present Need of the Northfield Schools

The Outlook has more than once called the attention of its readers to the fact that Mr. Dwight L. Moody left no more fitting product of his character than the two "Northfield Schools"—Northfield Seminary, for girls, and Mount Hermon Boys' School. Like other institutions which depend on funds provided by philanthropic people of means, these schools have recently suffered a loss of income. If their directors attempt to make good this loss by increasing the charge to students, they will bar out those poor but ambitious and self-reliant young men and women for whom they were established. The schools have not yet been in existence long enough to possess a body of graduates sufficient to supply special needs, though the number of such making progress in business and professional pursuits is most encouraging. Under the capable direction of Mr. Moody's sons, the schools have been carried on with unusual tact and skill; they have preserved the strong religious spirit that was characteristic of their founder, and with it have combined in a fine way the spirit of educational progress. Mr. W. R. Moody (whose address is East Northfield, Massachusetts) has, by his efficiency, broad-mindedness, and attractive personality, widened the circle of friends of the schools. Those who believe in the aim and character of these schools ought now to know of their need and of the opportunity for contributions which this emergency offers.

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The New Monroe Doctrine

The proposed agreement with Santo Domingo, of which The Outlook has already given its readers some account, presents in a practical and concrete form for the consideration of the American people what we have ventured to call the New Monroe Doctrine.

Political doctrines, like theological doctrines, change with changed conditions. We cannot look back to the year 1823 to know what the Monroe Doctrine is in 1905. Out of the doctrine of 1823 has grown the doctrine of 1905. The London "Spectator" gives a concise history of the development of this doctrine, sufficiently accurate for our purpose. It was, first, notice to Europe not to interfere in the affairs of the American continent; President Polk enlarged the doctrine so as to forbid the transfer of territory to a European power; Secretary Blaine in 1881 claimed for the United States the position of arbiter of all disputes which involved a question of territorial occupation; the present Administration adds a recognition of the principle that these claims involve obligations. The statement of Mr. Elihu Root at the dinner of the New England Society last December, though he is ex-Secretary of War, may be regarded as an unofficial definition of the Monroe Doctrine in its new phase. That definition is embodied in the following sentence:

> And if we are to maintain this Doctrine, which is vital to our National life and its safety, at the same time we say to the Powers of the world, "You shall not push your remedies for wrong against those republics to the point of occupying their territory," we are bound to say that, whenever that wrong cannot be otherwise redressed, we ourselves will see that it is redressed.

In the judgment of The Outlook, this extension, if it is to be so called, of the Monroe Doctrine is absolutely just. The United States cannot claim the rights of a quasi-protectorate without assuming its responsibilities. As Mr. Root says, "It is always possible that redress of injury, that punishment of wrong, may lead to the occupation of territory." We cannot say to foreign Powers, You shall not occupy territory for the purpose of redressing injuries or punishing wrong, unless we ourselves undertake to redress the injury and punish the wrong. For we cannot take a position which involves the affirmation that our power shall be exercised to prevent the redress of injuries and the punishment of wrongs. The strength of the United States does not lie primarily in a strong navy. Its strength lies primarily in the justice of its position. If we assume a position of absolute justice, a strong navy may be necessary to enable us to maintain it against unjust aggressors; but if we assume an unjust position, no navy, however strong, will enable us permanently to maintain it. Thus the question presented to the American people in a concrete form by the conditions at Santo Domingo is this: Shall we abandon the Monroe Doctrine, or shall we maintain it and assume the responsibilities which its maintenance involves?

There are two motives for maintaining it—self-interest and altruism.

The Atlantic Ocean is an invaluable protection to American coasts. Any European Power, except England, wishing to attack America, must bring its coal with it across the sea and coal its navy in our waters. To allow a European Power to occupy South American territory is to allow that Power a naval depot within easy reach of our own coast. It is to consent that the Atlantic Ocean as a wall of protection shall be eliminated, and that we shall be brought as near to Germany, France, Spain, or Italy as these countries are to one another. The peril of war with any European Power may be remote, but it is at a time when that peril is remote that safeguards should be maintained. If we allow the protecting barrier to be taken down now, it will be too late to re-establish it should the peril become imminent. And it cannot be said that there is no such peril. The German colonies established in Brazil have already become an important element in South American life. Agitation for the separation of these colonies from the Brazilian Republic is already foreshad-

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owed. An editorial in the "Deutsche Post" recently said: "We observe that a love for the individual States is growing at the expense of Brazil's unity. We should not wonder if, especially in consequence of the maladministration at Rio Janeiro, the States of Paraná, Santa Catharina, and Rio Grande do Sul should some day declare for secession and independence. Then a new outlook would be opened to Germany." The abandonment of the Monroe Doctrine would permit the organization of a German State affiliated with the German Fmpire, under German Imperial control, and affording all needed facilities for a German navy. In considering whether we wish to abandon the Monroe Doctrine we must consider whether we are prepared to face such a contingency as this with equanimity. The Outlook, not without deliberation, declares its profound conviction that self-interest demands the maintenance of the Monroe Doctrine quite as much in 1905 as it did in 1823.

The other motive that impels us to maintain the Monroe Doctrine is altruistic. Some of the neighbors to the south of us are not very wise, not very self-restrained, not yet very capable of self-government, and quite incapable of defending themselves against the aggressions of a strong military power. The altruistic question is, Does a strong nation like the United States owe any duty to a weak and ill-developed people in its vicinity? Are we simply to take care of ourselves and our own interests and let our neighbors fight life's battles as well as they can, and go to the wall if they fail? Or, because we are strong and well developed, do we owe them some duty of protection against aggression, some duty of help in the process of their own self-development? Does the law, He that would be greatest among you shall be servant of all, apply to nations or only to individuals? Should the Golden Rule be accepted as a principle of international law? The Outlook has no doubt that these questions also should be answered in the affirmative. The duty which we owe to our weaker neighbors has grown out of our own developed strength. We did not owe that duty when we were in the colonial condition, nor in the first years of our National life, because we had not the strength to fulfill it. Might does not make right, but might does create obligations. The Outlook had no doubt whatever that the Nation had both a right and a duty to aid the Cuban people to throw off the yoke of oppression and secure their independence. It has as little doubt that the Nation has a duty to protect its feebler neighbors from foreign aggression and to promote the higher and better life in its feebler neighbors by every legitimate means. It is not necessary to decide beforehand what are legitimate means, nor how far this right and duty may take us. It is enough to recognize the general principle that the great nation is in a true sense its brother's keeper, and that, as occasion may arise from time to time, it must, with discretion and self-restraint, exercise its powers to protect its weaker neighbor, certainly from foreign aggression, and sometimes from domestic embroilments. And if it is to do this, it must be prepared to prevent the weaker nations from perpetrating injustice.

There is no occasion for proclaiming anew the Monroe Doctrine to European nations. They are familiar with it, and have so fully acquiesced in it that it may almost be regarded as international law. There is no occasion for any proclamation to South American Republics of any proposed overlordship. We have no wish, and can have none, to interfere in their affairs unless interference becomes an imperative necessity, or is welcomed by them as a means of extricating them from difficulties too great for them to cope with. Such appears to be the case in Santo Domingo. The action of our Government there cannot be regarded as oppressive, because it is taken in agreement with the people of Santo Domingo, if not at their request. It cannot be regarded as unjust to foreign nations, for it includes provision for the satisfaction of their just demands. It cannot be regarded as impolitic, because it is part of a policy necessary to protect our coasts from possible future aggression by foreign naval powers. On the grounds of policy, of justice, and of

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international brotherhood, this extension of the Monroe Doctrine, this assumption by the big brother of some measure of responsibility for the welfare of his little brother, should be, and we believe will be, welcomed by the American people; it should be, and we hope it will be, approved by the Senate of the United States.

Governmental Regulation of Railways

In response to a request of the editors of The Outlook, Mr. Lucius Tuttle elsewhere in this issue states the case for the railroads in the debate now going on throughout the country upon the question of Federal regulation of railroad rates. Mr. Tuttle is the President of one of the most prosperous, useful, and soundly managed railroad systems in the country. The standing of its securities in the stock market, the efficiency with which it handles a very large passenger and freight traffic, and its comparative freedom from legislative imbroglios, with all that that term includes, give Mr. Tuttle a position of authority in speaking on this question, which the character and contents of his paper, we think, fully sustain. But, with full acknowledgment of our respect for Mr. Tuttle's expert knowledge, ability, and authority, we take issue with him upon some of the chief points of his argument.

In one hundred years, says Mr. Tuttle, we have built more than 147,000 miles of steam railroads in this country, and have spent over $9,000,000,000 in doing this stupendous work; the stability of the wealth of the country practically rests upon the stability of the railroads. For industrial securities, savings-bank deposits, farm property, factories, cities, universities, the circulation of newspapers, books, and letters—in a word, all the functions of activity in our National life—depend upon the prosperity of the railroads. In this statement of the facts every thoughtful man will agree with Mr. Tuttle; but from the conclusions which he draws from these facts we think there will be considerable dissent. Mr. Tuttle is for a policy of *laissez faire:* the railroads have been the greatest material factor in our progress—therefore they ought to be let alone. The Outlook takes a distinctly opposite position. The very fact that the physical well-being of the Nation is derived from the railroads makes it of the utmost importance that the railroads should be protected from careless injury by the people, on the one hand, and, on the other, prevented from injuring the people through financial contamination and disease. When it is admitted that industry, education, and politics are inextricably connected with the administration of railroad property in the United States, it must at the same time be admitted that the people are bound by the simple law of self-preservation to exercise a regulating and, it may even be said, a controlling oversight upon that administration. To The Outlook it is very clear that both logic and the march of events indicate that the people propose to exercise this oversight. The question resolves itself, then, into this: How shall the railways, their construction, their financing, their operation, with a just regard of public welfare on the one hand, and of the rights of the investors, private owners, and managers of the property on the other, be regulated? How shall we avoid the danger of administering quack remedies, and the equal danger of prescribing no remedies at all?

Mr. Tuttle's first criticism of National legislation for remedying supposed railway abuses is that it is substituting "unscientific and inelastic statute laws for the natural laws of supply and demand." But this criticism applies with equal force to the insistence by Government upon patent couplers, block signals, the abolition of grade crossings, the inspection of steam boilers, and all the other legal provisions for the protection of human life and safety. Under the operation of natural laws these might all have been left to the railroad managers, on the ground that the railroad which carried its passengers with the greatest amount of comfort and safety would get the largest traffic and thus make the largest profits, and therefore the public could expect that safety, light, ventilation, and

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sanitation would be provided for them as fruits of commercial necessity. As a matter of fact, legislation was needed to provide these things.

Again, Mr. Tuttle makes the time-honored plea that the railroads have been built by "capital privately owned and subscribed," and that it is unjust for the people who have not taken the risk involved in such an investment to restrict the earnings of that capital. This view, however, ignores the fact that by far the most valuable part of railroad property in the United States to-day has been given to the railroads and the private owners thereof by the public—namely, the franchises or charters. A railroad on paper with a hundred millions of subscribed capital actually paid in, but without a charter and the right of way or of eminent domain which such a charter gives, is not worth the paper its bonds are written on. The public is a partner in every actual railroad, not merely because of its rights as a body of travelers, but because of its actual ownership in the real property of the road. Thus, the State of Massachusetts, to which Mr. Tuttle justly refers those who wish to see how legislatures may wisely interfere with railroad management, limited by statute the amount of dividends which the Boston and Albany Railroad might pay its stockholders. Other States, by charter or by statute, have fixed the maximum rate per mile which the railroads within their borders should charge for carrying passengers.

Mr. Tuttle's third argument against giving the Government power to regulate rates may be thus epitomized: The directors of the railroads are held responsible to the public for the safety of the road, and to the stockholders for the earning power of the road. If the power to make rates is taken from them and given to an outside tribunal, they will then be held responsible for doing what they have no power to do. The power will have been divorced from the responsibility, and the directors will be held responsible while the power will be vested in the Government. This would be a very serious if not a conclusive objection to any plan for vesting in Government the function of initiating and generally regulating the freight and passenger rates for the country. But no such plan is proposed. What is proposed is that the adjustment of rates by the directors shall be subject to review and revision by the Government, when that adjustment is found to be working injustice to the community. The Factory Acts of England have brought the hours and conditions, and to some extent the wages, of labor under Government control, without impairing the power or lessening the responsibility of the directors of those industries, although the same argument was brought against those Factory Acts in the last century which is now brought against the analogous provisions for rate regulation in our country. It is not proposed to deprive the directors of all power, but to make them responsible to Government, as the representative of the community, as well as to the stockholders or owners of the property. Mr. Tuttle's argument neglects the fact that the responsibility which these directors have is shared by the people themselves, because they have given those directors the franchise, and at least to this extent are entitled to a participation in the control.

Mr. Tuttle's final argument against Government control of railway rating is twofold: that the average freight rate for the year 1903 was less than one-half of that received by European railways, and that with this payment for traffic the railway shareholders of the United States received in 1903 less than three per cent. upon the par value of their holdings. It is important that the reader should not let the force of this phrase, *par value of their holdings*, slip by his attention. In the opinion of The Outlook, a return of three per cent. upon actual capital risked in honest industrial ventures is very much too small a return to the investor. It does not allow sufficient margin for losses by floods, droughts, unavoidable accidents, and the natural variation of business prosperity. But the par value of railroad stocks and bonds in this country is very much in excess not only of the actual money invested in cash, but of the actual value of the railroads themselves in real estate

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and equipment. Many conservative and reliable railroad men, when confronted with this excess of capitalization, say that it represents the earning capacity of the road—that is to say, it represents the charter or franchise. But the charter or franchise is the public's actual contribution to the railroad. Why, then, should the earnings upon its share of the capital be turned over to the private stockholders?

Here we arrive at what appears to The Outlook to be the real crux of the question. There has always been, and will always be, unless the people decide upon the Government ownership and operation of railroads, a constant contention between railroad managers and the public as to what share of the earnings belongs to the private shareholders and what to the public who have contributed the charter or franchise as their part of the invested capital. It is this never-ending contention which somebody with authority must settle in each particular instance. To say that this contention may be left to the operation of natural laws is to say that all litigation and all statutes and all legislation are illogical, as, in fact, the Anarchist does say. However beautiful Anarchy may be as a philosophy, however delightful it may be to imagine a Utopia where debts are paid without sheriffs, contracts performed without forfeitures, and estates managed without executors' bonds, it is impossible for the consumer or the producer, the laborer or the capitalist, to live and work either advantageously or comfortably in these times in a state of industrial anarchy. In our opinion, it is just as essential to the profit of the railroad shareholder and manager as it is to the rights of the public that there should be some final court of authority established at once, to which the constantly recurring disputes with regard to railway rates may be referred with some hope for both parties that the decisions rendered will be just and expeditious. Mr. Tuttle suggests the Congress of the United States as such a court. Mr. Paul Morton suggests a Central Court of Transportation of three or five members; Representative Hepburn recommends a tripartite authority consisting of an Inter-State Commerce Commission, a High Court of Commerce, and the Supreme Court of the United States—appeals being allowed from the first of these bodies through the second to the last. The Outlook does not undertake here to express an opinion as to the details of organization of the court which, as finally constituted, shall settle disputes between the public owners and the private owners of railroads. But it is very clear in its belief that some such court is necessary, and that the more expert its knowledge, the more unimpeachable its integrity, and the more simple and expeditious its operation, the better it will be both for railway profits and for public rights.

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The State, the Church, and the Indian

"How great a matter a little fire kindleth!" So said one of the Apostolic writers in his wisdom two thousand years ago. So, we are inclined to think, some of the officials of the Indian Department at Washington are saying in their confusion to-day. In comparison with the millions which the Government is expending for the necessary administration of the affairs of the country it was a small matter, they thought, to let some of the Indian mission schools have a paltry hundred thousand dollars out of funds in the Treasury of the United States. The officials who took this view of the matter have found by this time that the size of a financial and political scandal does not depend upon the size of the sum of money involved. Readers of The Outlook are familiar with the facts in the case to which we refer. But for the sake of keeping the story clearly in mind we here recapitulate it briefly:

Friends of Indian education who fundamentally believe, as The Outlook does, that there should be absolutely no connection between the Church and State in the education either of Indian or white children, discovered that $102,000 had been allotted by the Government to certain sectarian mission schools, both Protestant and Catholic; on investigation it was learned that this money was

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not appropriated from public funds in the regular Indian Appropriation Bill, but was made over to the schools from the income of trust funds lying in the United States Treasury for the benefit of the Indian. There was a manifest attempt on the part of some Washington officials, especially of the Hon. J. S. Sherman, Chairman of the Committee on Indian Affairs, to keep the matter quiet, to confuse the issue, and to throw those citizens off the track who were exercising not only their rights but their duty in seeking for the facts. Some of these methods we related in detail in the last issue of The Outlook. Others have come out in a Senatorial hearing held in Washington on January 31, at which Mr. S. M. Brosius, agent of the Indian Rights Association in Washington, made the following written charges:

> A statement has been made to me by an honorable Senator which will be amplified before the Committee on Indian Affairs, if requested, to the effect that a Mr. Scharf, a representative Catholic [Professor E. L. Scharf, of the Catholic University at Washington] submitted a table of twenty close Congressional districts with the alleged Catholic vote in each, and a written proposal to deliver the necessary votes to carry these districts that might be selected by the Republicans if the appropriations for Catholic Indian schools to the amount of $200,000 were continued for two years longer. Even threats were made by this Mr. Scharf that the defeat of certain Congressmen would be brought about unless opposition to sectarian appropriations was withdrawn.
>
> I will state further that a member of the House of Representatives who was opposing legislation which provided for support of Indian contract schools from Government funds was approached by the same Mr. Scharf, and threatened that if he did not withdraw his opposition to the legislation, he (Mr. Scharf) would see to it that the Catholic Church organization would defeat him at the next election. I am authorized to make this statement to this Committee. The member referred to is the Hon. John H. Stephens, of Texas.

It has not been denied that Professor Scharf made these representations, although prominent Catholic authorities assert that he had no right to speak or act for the Roman Catholic Church or the University at Washington, and thus was acting simply as an individual.

The methods of Mr. Sherman and of Dr. Scharf are so contrary to the methods of the President, and so repugnant, we believe, to his standards of political, civic, and religious decency, that we are very glad that he has made an authorized statement concerning the relation of the Executive department of the Government to this expenditure of money in sectarian schools. This statement is in the form of a letter to the Secretary of the Interior, dated at the White House on February 3. The President refers to an opinion from Attorney-General Moody that the payment of these moneys from Indian trust funds to sectarian schools on petitions received from the Indians themselves was not illegal. He adds that of course great care should be taken to see "that any petition by the Indians is genuine, and that the money appropriated for any given school represents only the *pro rata* proportion to which the Indians making the petition are entitled." In maintaining what seems to us to be a mistaken policy he declares, "The practice will be continued by the Department unless Congress should decide to the contrary, or, of course, unless the courts should decide that the decision of the Department of Justice is erroneous." But the President makes it clear that, in his opinion, Congress should put a stop to the practice. For he says:

> It is, however, greatly to be desired that the bill introduced by Representative Lacey, providing for permission to allot these annuities in severalty to the Indians, exactly as is now done with land, should be enacted into law. Its enactment and administration would prevent the raising of any question of this character, for each individual Indian would then be left free to use the money to which he is entitled outright, on his own initiative, instead of having it used for him by the Secretary of the Interior in consequence of his petition. I earnestly hope that Congress will at once enact this bill into law.

It is difficult to understand the President's logic in this case. He asserts that the Executive will persist in the practice of assigning trust funds to sectarian schools unless stopped by Congress or the courts. At the same moment he urges Congress to abolish the trust under which the practice is carried on! If the practice is a good one for the Indian and the country, why abolish it? If it is so bad that it ought to be abolished, why does the President advise and authorize the Interior De-

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partment to continue it until stopped by the courts or Congress?

The Outlook has not contended that the partition of this $102,000 among sectarian mission schools for the Indians was illegal. We contend that it is unjust to the Indians, unwise for the Government, and injurious to the churches. Any kind of a business partnership between the Government and the Church, whether the Government is acting for the people at large, as it does in an appropriation bill, or as a trustee for a small group as in this particular case, is inevitably pernicious in its result. Jealousies, heartburnings, deceptions, wire-pullings, and sectarian conflicts and animosities follow in its train. The fact that in this case Roman Catholic schools were the chief beneficiaries and that the petitions from so-called Roman Catholic Indians were not carefully scrutinized, and that more genuine and more largely signed counter-petitions from Protestant Indians were ignored, and that the money was not divided among the Indians *pro rata*, as the President rightly says it ought to be—has nothing to do with the general principle involved. The people of the United States by an overwhelming majority believe in our public school system; they are radically opposed to the Government interfering with Church schools or the Church interfering with Government schools; they mean to avoid by every possible endeavor the dangers, perplexities, and annoyances which the people of France and England are in the midst of at the present moment because in England the Government and the Protestant Church, and in France the Government and the Roman Catholic Church, are trying to carry on an educational partnership. No such partnership is wanted in this country; Americans are opposed to Government moneys or subsidies of any kind being given to any Church or to any Church school, whether Catholic or Protestant, Jewish or Gentile, Greek or Mohammedan, Congregational, Baptist, Methodist, or Episcopal; and we hope that all true friends of the Church, the State, and the Indian, whatever may be their Church connections or religious beliefs, will continue to unite, as they have in this instance, in protesting against any attempt on the part of any person to introduce the smallest violation of this principle into the political and financial affairs of the Government.

The immediate practical thing to do is urgently to appeal to Congress to prohibit the use of Indian trust funds or any other public funds whatever for sectarian education, and to enact legislation providing that all Indian annuities, instead of being disbursed by the Government for the supposed benefit of the Indians, shall be allotted in severalty for the individual Indian to spend as he sees fit without the intervention of the Government.

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An Untenable Claim

A correspondent, writing to the New York "Sun," claims the admission of Arizona into the Union as a right: she has 114,000 square miles, while New York has only about 47,000; she has a sufficient population to entitle her to one member of the House of Representatives; and this population includes men and women "as intelligent, cultivated, and advanced" as in any Eastern or Southern city of the Union. This claim on behalf of Arizona is expressed in the following terse sentence: "She is not a beggar for favors; she only demands her rights, and is both morally and legally entitled to separate Statehood, and that speedily."

Whether it is expedient to admit Arizona as a State or not we do not here consider, but we deny emphatically that any Territory has a right to admission to the Union as a State. The Union is a partnership of States. Every Territory admitted into this Union becomes a partner and shares in the government of the Nation. No community may claim as a right to enter this partnership and help to govern the rest of the Nation. The people of Arizona have a right to a just government. They have a right to a large measure of self-government; that is, to all that management of their own local affairs to which they show themselves entitled by their capacity, and we do not raise here any question that their capacity to administer their local affairs is

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equal to that of the people of any State in the Union. But whether they shall come into the Union and help to control the destinies of the other States which now constitute the Union is a question solely for those States to determine. Arizona now enjoys the benefits of the protection afforded by the United States flag, the opportunity of submitting all questions which may arise between it and the United States to an impartial tribunal and not to the perils of an unequal war, and the commercial advantage of free trade with all the States of the Union. The notion that because it enjoys those privileges it may claim as matter of legal and moral right the further prerogative of helping to govern the States which now constitute the Union is a notion without a shadow of reason to support it. The relation which Porto Rico, Arizona, Hawaii, the Philippines, and every other community under the American flag should bear to the States which constitute the Union is a question to be determined wholly by the States which constitute the Union, and wholly by their judgment as to what is for the best interests of the Nation in its entirety.

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The Church's Message for To-Day

The newspapers announce that Dr. Dawson has arrived in this country, and begins at once his evangelistic itinerary. In addition to his public preaching, something like a hundred conferences with ministers of different denominations are being arranged; for Dr. Dawson is not sent as a missionary—he comes as a guest on the invitation of American churches. These invitations come simultaneously from all parts of the country. They come from the laity no less than from the clergy. They are accompanied by other spontaneous indications of an awakening of spiritual consciousness, and the expression in different forms of real, if as yet undefined, spiritual desires. It cannot be positively affirmed that the American churches are at the dawn of another revival of religious life, such as the Church of Christ has known from time to time ever since the first Pentecost; but it can be positively affirmed that the first duty of the ministers and churches is to study how they may promote such a spiritual awakening. What is the special message which the churches and the community need at such a time?

In reply we hear a reader impatiently asking, Is not the message of the Church always the same? Certainly not. Its message to a community in despair is not the same as to a community filled with self-righteous conceit. Christ's message to the woman that was a sinner was not the same as his message to the Pharisees who devoured widows' houses and for a pretense made long prayers. The message of the true prophet in this beginning of the twentieth century is not the same as its message in the beginning of the nineteenth. In 1816 one of Dr. Lyman Beecher's contemporaries wrote to him saying, "The doctrines of free agency and sinners' immediate duty to repent do wonders among my people. I preach them publicly and privately. My congregation to which I preached the first Sunday after I got home stared as if I was crazy. 'I am not mad, most noble Festus.'" These "doctrines of free agency and sinners' immediate duty to repent" were sensational and revolutionary to a people imbued with a habit of thought hyper-Calvinistic; they are to-day the commonplaces of every man's thinking. It would be difficult to find a Calvinist so Calvinistic as to deny them. Every preacher may safely assume what Lyman Beecher and Charles G. Finney had to demonstrate—that man is a free moral agent, and that if he is doing wrong he has the power, and it is his duty, to stop doing wrong and to begin doing right.

The message which this age needs is one which shall interpret righteousness, and so put to shame the false standards which are current in American society. The present is an age of intense human activities and of commercial, not to say materialistic, standards. It is one, therefore, which requires a human gospel and an uncommercial standard. Both are furnished by the life of Jesus Christ. That life was pre-eminently a human

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life, and it is the human aspects of that life as a model for men, and therefore a judgment on men, that the age pre-eminently needs. That life, truly, simply, effectively presented, will both condemn the false standards which pass current in American society and will inspire with largeness of endeavor and newness of life by the splendor and the practicality of its ideal. What we want for a great awakening in this beginning of the twentieth century is a fearless and a perfectly frank application of the measuring-rod of Christ's teaching and example, not merely to the outward actions, but to the inward motives of our American life. The message which the age needs is not that men are free to choose the good and eschew the evil; that they already know. It is not that they can and therefore ought to cease to do evil and learn to do well; that they also know. The Church needs to put in contrast with the American spirit of accumulation, Christ's spirit of distribution; in contrast with the American spirit of acquisition, his spirit of service and sacrifice.

To this Gospel of the life of Christ, to these great teachings of what man is in his ideal and what he can become in his real life, the age responds. Its demand for this is shown in the reception which has been accorded to the numerous lives of Christ which have been written during the last fifty years. It is shown in the distaste for scholastic theology and in the cry, not always intelligent, "Back to Christ!" It is shown in the endeavor outside the Christian Church to imitate the example and embody the spirit of Christ, as in college settlements. It is shown in the emphasis which the laity put upon the human life of Jesus, and even in the doubts and questionings respecting his divinity—doubts and questionings due rather to a disinclination to believe that his life is so supernatural that it affords no real guidance to natural men and women than to a disinclination to believe in the goodness and love of God revealed in that divine life. It is seen in the response which the age without the Church as well as within the Church has given to the appeals made to a Christian conscience. This age is sometimes called an age of skepticism, and is compared to its disadvantage to the "Age of Faith" which is past. But if one accepts the life of Jesus Christ as the standard of measurement, we can hardly doubt that there is more faith in the age which enters on a crusade for the liberation of three millions of slaves than in one which enters upon a crusade for the liberation of a Holy Sepulcher; in an age which organizes and maintains a public-school system for the overthrow of ignorance and its twin, superstition, than in one which unchains fire and sword for the extirpation of heresy in the Netherlands; in an age which endures suffering and sacrifice to set Cuba free than in one which inflicts sacrifice and suffering upon the Huguenot heretics and in the interest of religion perpetrates the Massacre of St. Bartholomew.

If there is to be in this beginning of the twentieth century a great awakening at all commensurate in its effects with that which Jonathan Edwards saw, or those later ones in which Charles G. Finney and the Beechers, father and son, took so active a part, the ministers and churches must prepare for it; they must do what these great spiritual leaders did, what the great religious prophets of all times have done, understand the conditions of their own age, and give to it the message which it needs and for which it is really hungering. That message is not chiefly the message of hope to a people in dull content, the message of Wesley to the unwashed and uneducated democracy of England; it is not the message of liberty to a people bound by the fetters of a fatalistic philosophy, the message of Charles G. Finney and Lyman Beecher to the Calvinistic communities of New England and New York. For the American people of to-day are neither apathetic nor fatalistic; they are ambitious and self-centered. The message which our age needs is one which will put the life and teachings of Jesus Christ alongside our materialistic lives to show us how sordid is our boasted splendor, how petty our boasted greatness, how ignoble our proud ambitions, and will at the same time inspire us with new and diviner ideals of life and a new and divine courage to attempt their realization.

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Railway Rates and Government Regulation

An Argument Against an Extension of the Powers of the Inter-State Commerce Commission

By Lucius Tuttle

President of the Boston and Maine Railroad

IN our day, regular, convenient, and expeditious means of transportation for persons and goods, at reasonable and stable prices, is so important an element in the general prosperity and happiness of the individual and of the community of which he is a part, and the railway has so become the fulcrum upon which rest the many and complex levers that control and move the social and commercial intercourse of the people, that discussion of any new suggestion likely to cause material changes in our transportation methods, whether for good or for evil, arouses instant and widespread attention.

It is therefore not to be wondered at that the proposal by the General Government, which is now occupying the attention of Congress, to exercise more widely extended regulating and rate-making powers over all inter-State railways, is being carefully considered from every point of view by those in the highest official circles, by the newspaper press, and by eminent leaders of thought in political, commercial, and economic investigation, as well as by the customers of the railways, the investors in their securities, the million workers, more or less, who are engaged in railway service, and their families to the added number of probably three million persons, who depend upon their earnings as the means of their livelihood.

It is well known that the necessity of producing a better adjustment of inter-State and foreign trade relations was one of the fundamental reasons for the making and adoption by the several States, in 1788, of our present Federal Constitution, and that thereunder Congress is given the power "to regulate commerce with foreign nations, and among the several States, and with the Indian tribes;" also that the Supreme Court has imposed upon it the duty of interpreting the Constitutional power of Congress whenever differences of opinion arise concerning it. I do not think it has been or can be shown that the makers of the Constitution ever had any other thing in mind, in connection with this delegation to Congress of the power to regulate inter-State commercial relations, than a well-defined intent to forever prevent the erection by any State of any customs, tariffs, or other barriers that should be an obstruction to the freest currents of commerce; and there seems to be no evidence that the idea of regulating the market price or the methods of transporting either freight or passengers across State lines or to foreign countries was ever in the remotest way entertained by any of them. The Supreme Court has since then so broadened by interpretation this meagerly stated power of Congress, and so enlarged its authority over inter-State intercourse, that it can now exercise, with apparently lawful authority, control over its minutest detail. We can therefore only accept the situation as it now exists; but each one may for himself investigate and form his own opinion as to the extent to which this enormous and perhaps unprecedented power ought to be exercised, and in what way individual and general interests are likely to be thereby benefited or put in jeopardy.

For almost a century—just ninety-nine years, to be exact—Congress allowed its power to regulate inter-State commerce, whether carried on by private enterprise or by public service corporations, to lie dormant. In the meantime the steam-

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boat and the steam locomotive had been perfected, and under State charters and authority, and without even a hint from Congress of its interest in or most remote objection thereto, more than 147,000 miles of steam railroad had been constructed and put in operation in the United States, at a cost of upwards of $9,000,000,000, furnished by private investors and without Government aid, except that in isolated instances and in a limited way, for the furtherance of the public interest in opening up governmental areas of unoccupied lands for settlement, or to tie with strong and permanent bonds of unity the almost inaccessible Pacific Coast States to their older and more fully developed sister States of the East, the National Government had donated portions of its public lands and had loaned its credit in aid of some railway extension and development, in the then remote West, that would otherwise have been found difficult, if not impossible, of accomplishment.

Then, in 1887, after all this investment of private capital had been made under conditions which there was no reason to suppose to be other than permanent, and after ninety-nine years of non-interference, Congress, through the Inter-State Commerce Law, announced its power and determination to thereafter control and regulate all public service corporations that were then engaged, or might thereafter engage, in the business of inter-State and, within certain limitations, international commerce.

This special and unprecedented National legislation, which was the first attempt by Congress to substitute, in this connection, unscientific and inelastic statute laws for the natural laws of supply and demand, and to abridge the freedom of private contract rights, has now been in force for about eighteen years; and it is perhaps not too much to say of it that it has in its career thus far occupied relatively more of the attention of Congress, of the law courts, of those engaged in the business of public transportation, and of the newspaper press and the general public, with less production of intended results, than has any other piece of National legislation that has had its birth since the foundation of our Government.

It is a law that attempts to place not only the earnings, but the absolute capital privately subscribed and owned, and which derives its value wholly from expected earnings, in the hands of a politically selected commission, which is endowed not only with the judicial function of passing upon cases that may be submitted by complainants in the usual way, but possesses also a further and extra-judicial power of initiating investigations of cases that it believes may be violations of the law, of hearing evidence thereon collected by its own agents upon its own instigation, and then of passing in judgment upon the facts as thus in part ascertained.

In framing the Inter-State Commerce Law it was the purpose of Congress to produce, among others, the following definite results: First, the continuance of competition between the railways; second, the prevention of pooling and other combinations that might reduce railway competition, or unduly increase transportation rates; third, to prevent the railways from discriminating between their customers by giving rebates, secret rates, or relatively unlike facilities for like or similar service; fourth, to prevent higher rates being charged for short hauls than for long hauls; fifth, to cause uniform, stable, and equal rates to be charged for like or similar service.

Later, Congress enacted the so-called "Sherman Anti-Trust Law," about which several interesting facts may be stated: One, that although named after Senator Sherman, he had little or nothing to do with the details of its making and took no special part in its enactment by Congress; another, that when it was under discussion by Congress it was not intended or understood to have any reference to, or control over, transportation companies; a third, that its first important use was for breaking up the useful and beneficial traffic associations which had been formed by the railways to produce the very uniformity and stability in rates that the Inter-State Commerce Law was in part framed to accomplish; and a fourth, that in its interpretation the Supreme Court has laid down the prin-

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ciple that under it all combinations in restraint of trade are unlawful, *even though they may be in themselves beneficial to many interests and harmful to none.*

Now let us see to what extent the Inter-State Commerce Law and its complement, the Sherman Anti-Trust Law, have produced their intended results. The railroads having in many instances extended their lines in anticipation and advance of the public demand therefor, and being denied the privilege of arranging an equitable distribution of the existent competitive traffic at remunerative and reasonable rates, at once entered upon a fierce and ruinous competition, which made their rates and service unstable, irregular, and discriminatory. As a consequence of financial weaknesses thus in part engendered, in the business panic of 1893 many of the larger as well as the smaller systems were forced to take refuge from the claims of their creditors by passing into the hands of receivers; whence most of them have since emerged and, under the processes of natural law, have become component parts of greatly enlarged, consolidated, and unified combinations or systems, under whose combined, but lawful, management the possibility of general competition, such as it was one of the purposes of the Inter-State Commerce Law to uphold and maintain, has hopelessly and forever vanished. This combination and unification of separately owned and competing roads is still going on, at a rate of progress that will in the not distant future—and still under the working of natural laws—remove whatever rebating, secret rate giving, and other forms of favoritism now exist, and for which the railroad managers have been so severely censured, but of which the conscience of an outraged public has never yet prevented it from reaping the uttermost advantage.

These facts would perhaps be unimportant but for the further fact that the Inter-State Commerce Commission is again before Congress with its many times iterated and reiterated request, now reinforced by Presidential recommendation, that it be given the absolute power to prescribe the maximum rate that a railway or line of railways may make whenever, upon complaint and investigation, the rates currently charged are deemed by it to be unreasonable; and that it be further empowered to put such prescribed maximum rates in immediate effect, to stay until declared by the courts, upon appeal by the defendant railway or railways, to be unlawful.

In support of the claim that the Inter-State Commerce Commission should have the power to fix maximum rates, the statement is put forth in its behalf that it does not intend to exercise this power except to remedy occasional and possibly rare cases of injustice on the part of the railways, and that it does not expect or desire to make tariffs for the railways in a wholesale way. One member of the Commission is reported as having said that its proposed methods of correcting existing evils will not be likely to appreciably affect the general average freight rate now received by the railways of the country or materially reduce their gross or net income.

The value of this statement is, however, materially weakened by that of another member of the Commission, who is quoted as having recently said that unless this power of rate-making is given to the Commission, the people of this country will continue to pay at least $40,000,000 a year more for their railway facilities than they ought to pay. If this latter statement is to be accepted as embodying the true intent and purposes of the Commission, if it is given the power to fix transportation rates, the question naturally arises how this $40,000,000 a year in reduced gross and net earnings is to be provided for without correspondingly reducing the at present low average dividend returns of the railways, or relatively reducing the cost of their operation and the facilities afforded to their customers, the public.

It is well known by all who are versed in railway traffic that to make rates for a part and not for the whole is an impossibility. The tariffs of the railways are so nicely adjusted to fit the varying conditions of trade and commerce in the widely separated as well as the near-by sections of the immense territory they are endeavoring to serve, that a reduc-

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tion in a few dominant rates or in the freight classification often wrecks the whole fabric, and seriously imperils income, both gross and net. As well could the chief traffic officer of a railway system expect satisfactorily to control its business and satisfy its customers by naming the rates between the various termini of the system and leaving the other rates to be prescribed by agents at the intermediate stations.

I differ with those who advocate increasing the powers of the Inter-State Commerce Commission only upon the one point that I believe to be of vital interest—namely, this power to make rates. I am heartily in favor of such carefully thought out additional legislation as may be found needful for ending and forever preventing railways from conspiring to give, and, what is vastly more important, their customers combining to exact, any favors or facilities that may not, under like circumstances and conditions, be given to and received by all; but I am fully convinced that the power to fix the price at which railway transportation shall be sold can be left with safety only in the hands of those who must assume, and who have no way of escape from, the care and cost of producing that transportation; and that legislation tending to separate these two indissolubly connected and paramount responsibilities is communistic in its tendencies and in contravention of the natural laws of supply and demand.

Is it not one of the unalterable workings of natural law that whoever exercises the power to fix the maximum price at which a product shall be sold must likewise fix the minimum price, and must also ultimately assume and control the cost of making that product? No sane person would invest in the financial obligations of a cotton-mill if the selling price of its product could be in any way fixed or controlled by a committee or commission of citizens, no matter how carefully selected, having no direct financial interest in the success or failure of the concern; and if this be true as to a small industrial enterprise, how much greater and more disastrous must be the effect of the exercise of a rate-making power upon the more than twelve billion dollars' worth of securities of the railway companies that are now outstanding and are the foundation upon which depend, to an enormous extent, the stable and permanent values of the people's deposits in our savings banks, trust and insurance companies, not to mention the investments made in them at first hand by an untold number of our citizens of every class. As no workable plan has yet been devised for equitably dividing the producer's responsibility of fixing the price at which his product may be profitably sold or of guaranteeing its cost, and as the only product of the railway company is transportation, will it not unalterably follow that when Government takes the first long step of using its power to fix the maximum price at which that product shall be sold to the public, it must also fix the minimum price, and then, sooner or later, take the next and much shorter steps leading to government ownership and operation of the railways, and thereby assume and control the cost of making, as well as the selling price of, this transportation product? And is not this the method which the Sociailst has, in season and out of season, insisted should be applied?

For the members of the present Inter-State Commerce Commission, collectively and individually, I have the greatest respect. They are able and honorable gentlemen, and I have no doubt of their willingness and ability to use justly any power that may be committed to their charge; but neither they nor any one else can give assurance that their politically selected successors will be proportionately well fitted, mentally or otherwise, satisfactorily to carry on the work.

It is argued by some who favor giving the Inter-State Commerce Commission full rate-making powers that for ten years after it was created it exercised this power; that its use was harmless to the railways then, and therefore would not hurt them now. This argument fails to state the whole case. The railways did indeed submit for a time to the exercise by the Commission of this power, but it soon became so pervasive in its spread, through extensive changes in freight classification as well as in rates, that they

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found cause for alarm as to the final outcome, and they therefore took the matter into court, where their contention that the Commission's power over rates ended when it found them unreasonable, and that it had not been given the power to substitute and make effective other rates that it considered reasonable, was sustained.

The present widespread and somewhat inflammatory discussion of the railroad rate question would lead one not familiar with our great and unprecedented National prosperity to suppose that, by the arbitrary exaction of unwarrantably high railroad rates, our industries and commerce must be, as a whole, in such a state of prostration and decadence that radical and even violent legislative means of relief ought at once to be applied.

But what are the facts? The average return paid to the railway shareholders of the United States in 1903 was less than three per cent. upon the par value of their holdings. From 1893 to 1903 (1904 statistics not being yet available) the freight moved one mile by the railways of the United States had grown in volume from 90,000,000,000 to 171,000,000,000 tons, an increase of 81,000,000,000 tons, or about 90 per cent., while the railway mileage during the same period increased only 18 per cent. The average freight rate received by all the railways in 1893 was $8\frac{93}{100}$ mills per ton per mile, while in 1903 it had fallen to $7\frac{81}{100}$ mills, a reduction of $1\frac{12}{100}$ mills. Now, the average rate for 1903, which was less than one-half that received by European railways, does not seem so excessive as to be an arbitrary and insurmountable barrier to the free and profitable movement of our domestic and foreign commerce; and when we further find that this reduction of $1\frac{12}{100}$ mills in the average freight rates of 1903 yielded in money, when spread over the tonnage volume of that year, the total of $191,000,000, and that this contribution to the country's commercial wealth was made by its railway systems under the workings of the natural laws of supply and demand, and without the intervention of statute law, may we not well hesitate and take time to consider whether the intrusion of statute law upon this satisfactory business condition is, after all, as necessary as we are being asked to believe?

There is in some sections a persistent and almost hysterical demand for railway rate regulation, but what is really meant is not "rate regulation" but "rate reduction," and if this demand is enforced to an extent that will be of any appreciable value to the people at large, will not the railways, that in 1903 paid their shareholders an average dividend of less than three per cent., find it necessary to reduce their operating expenses to meet proportionately this loss of income; and when such reductions become necessary, will not their customers, the public, be forced to accept in a proportionate degree reductions in the quantity and quality of the facilities furnished?

But as he who criticises and objects to proposed methods is in reason bound to suggest something in substitution, I assume the necessary responsibility, and, with becoming modesty, offer the following:

The present law seems adequate and sufficient, if thoroughly applied, to enable the Inter-State Commerce Commission to bring to light, punish, and prevent every form of rebating and secret rate giving or taking, as rapidly as the cases are brought to its attention, and therefore further legislation upon this branch of the subject seems at present to be unnecessary.

The other principal abuses and evils alleged, and to which Congressional attention has recently been called, are said to arise out of the improper use of privately owned freight cars and of private side tracks and railways of the so-called industrial combinations. I suggest that, if these privately controlled special facilities and their owners are, to the extent that they deal in transportation, brought within the scope of and made amenable to all laws that are now or may hereafter be applicable to transportation companies engaged in inter-State commerce, the alleged abuses and evils will at once become controllable and can be wholly eradicated.

If the rate-making power is then found to need further supervision and regula-

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tion, the Inter-State Commerce Commission should have added to its present full power of investigation that of recommending to the railways the substitution of rates that it thinks reasonable for those that, upon investigation, it has condemned; and if, within reasonable time—say thirty days—the railways interested fail to adopt these recommended rates, the Commission should make to Congress a report of its findings and recommendations and of the failures or refusals to comply therewith, leaving to Congress the duty of applying such remedies as it may then think needful. I suggest that the final disposition of disputed cases be left to the decision of Congress instead of the courts because whatever of jurisdiction it may assume over the railways or their rates under its power to regulate commerce between the States is a distinctively legislative function, belonging solely to it; and the question, which is perhaps open to argument, whether this legislative function may be delegated to or assumed by the judicial branch of the Government is thereby avoided. The plan seems to have the further advantage that there will always be in Congress Senators and Members directly representing every section of the country in which disputes about rates arise, who will have at first hand the fullest opportunities for obtaining information about the merits of cases local to their States and districts, and who can therefore pass judgment upon them wisely and expeditiously.

This plan has worked well for so many years in Massachusetts and in several other of the older States that its trial by the General Government would seem to be at least worthy of consideration. It would have the wholesome, and I think necessary, effect of preventing an accumulation of frivolous complaints, with which the Commission is quite certain to be overwhelmed if the proposed plan of giving to it or to the courts the final adjudication of all rate cases submitted to it is adopted; and, judging from the working of the Massachusetts laws covering this matter, the restraints against arbitrary and unjust acts by any of the railways would be so sufficient and wholesome as to bring substantial and even-handed justice to all parties in interest.

Much has been said in favor of giving to the railways the right to pool their earnings or traffic, this right to be in the nature of a recompense for taking from them powers they now possess in rate-making. Experience of the railways in past times, when pooling was not prohibited, gives little hope of successful future results in this direction. Only under exceptional circumstances, where all the competitive lines of railway in a given section are unified by a common ownership, can the terms of a pool be arranged to the satisfaction of all; and, at best, pooling has always been in the past, and will probably always be in the future, only a temporary expedient of bribing the newer and weaker lines to keep the general peace by giving them a considerable portion of the business legitimately belonging to their stronger and longer established competitors, such as they could otherwise acquire only by offering to possible customers secret and unwarranted favors, or by openly cutting the published tariffs of their stronger neighbors. One needs but to turn to the records of the Trunk Line and Central Traffic Associations, of the time previous to the passage of the Inter-State Commerce Law in 1887, to satisfy himself of the futility of all theories that separately owned competing railways can ever successfully make or keep agreements for equitably dividing their earnings or business under any system of pooling that human ingenuity or statute law can devise.

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Venezuela—A Nation in Transition

By G. M. L. Brown

VENEZUELA has apparently reached the parting of the ways. Is she to sink into a state of perpetual lawlessness, giving up all attempts to uphold even the form of republican institutions, or can she yet free herself from the military dictator and his organized band of plunderers? Will she eventually return to the state of chaos that prevailed half a century ago, when a score of selfish factions held the various provinces and warred upon one another and upon the central government, or is there an element in the country courageous and patriotic enough to establish a decent and stable government? These questions are not for the outsider to answer. So many problems present themselves, such a peculiar condition of society exists, that the history of no other Spanish-American republic presents an exact parallel. Venezuela's destinies, provided that some foreign power does not intervene, lie in the hands of a new and untried people.

Some writers, with more aptness than courtesy, call the Venezuelans a mongrel race, but even that term fails to express the remarkable miscegenation that has taken place. In Argentina, Uruguay, and Chili, while the majority of the people, apart from the great foreign population, are mestizos, or "chinos," as they are called there, the upper classes are almost entirely white. In Paraguay, Bolivia, and along the Pacific coast as far as and including Mexico, the vast bulk of the population is also mestizo, with here and there a pronounced strain of negro, especially on the Peruvian coast; but there remains a minority of pure European descent, or what counts for pure in Spanish America. In Colombia the ethnic conditions are more complex, there being, besides the mestizos and whites, many communities of pure Indians, an almost pure-blooded negro element, and the zambos—half Indian, half negro. Such, also, is the common classification given to the Venezuelan population, but, while correct enough perhaps two generations ago, it no longer answers for the strange race that is now being evolved.

In her European stock Venezuela has been exceptionally fortunate, for the country was first settled by the Basques—a sturdy people who found a congenial climate in the upland valleys. The recent immigrants have come largely from the Canary Islands and from Catalonia, and have proved equally desirable. Italy, Germany, the Republic of Colombia, and the adjacent islands of the West Indies have also contributed their quota. Moreover, at the conclusion of the revolution against Spain, a number of English, Irish, and Scotch soldiers of fortune settled down in the country, as was the case, indeed, in nearly every part of the continent, and from their intermarriage with the creoles and with the foreign residents have sprung many prominent families of Caracas and Valencia. Even the "best" families, however, are in very few cases free to-day from a mixture of either Indian or negro blood, or both; and race antipathies, as we understand them, can hardly be said to exist. Among the middle class and the peasantry, or "peons," the amalgamation is so advanced that pure-blooded Indians or negroes are no longer met, except, of course, the West Indian negroes, who are to be found in the coast cities, and the remnants of innumerable tribes of Indians scattered throughout the unsettled regions. The mestizo type also is becoming rare, and the zambo has almost entirely disappeared. Just what to term the nondescript race of white, "copper," and black which, though as yet by no means homogeneous, is bound to become so during the present century, must be left to the ethnologist to decide.

One must bear in mind, however, that Venezuela has a most remarkable variety of climates, equaling a range of latitude at sea-level of sixty or seventy degrees, and herein one can plainly foresee her "race problem" of the future.

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That a uniform type can be preserved in a country presenting regions as diverse as New Brunswick and Porto Rico, or the Scotch Highlands and the Nile Valley, is certainly impossible, and one marvels that miscegenation should have been so rapid and so thorough. It simply means that one process of evolution has outrun the other; but already the second or climatic modifications are becoming manifest.

This is illustrated by the rise of the despised "Andinos" or mountaineers of the western States, who, under the leadership of General Castro, disputed the right of the Caraquenians—who may also be considered a mountain people—to rule the country, and have now been in power five years. They are rude, unscrupulous men, the President not excepted, but they display a courage and vitality that augurs ill for the rest of the country, which they evidently regard as so much territory to be despoiled.

To sum up the character of the Venezuelan people would be to describe in part the three primal races from which they have sprung. They are brave in battle, but display the doggedness and ferocity of the Indian, tempered with the docility of the negro, rather than the rash valor and cruelty of the Spaniard. They tolerate the bull-fight, but prohibit the use of horses, presumably to make the spectacle a little more humane. When a revolution is over, the lives of the prisoners are as safe as if they had merely engaged in a sham battle, and only one case has occurred in modern times of a revolutionist suffering the death penalty. On the other hand, President Castro has acted in a most inhuman manner towards the officers and aiders of the Matos revolution, a thousand of whom are now languishing in the dungeons of Maracaybo and Puerto Cabello, many of them chained together like prisoners of the Middle Ages.

In speech the Venezuelan can use all the polite forms; nevertheless, he lacks much of the courtesy of the Spaniard, or even of his neighbor the Colombian, and at times is guilty of a boorishness that one would hardly expect to find in Spanish America. Some of his habits, too—or at least those of the peon—are often far from pleasing, and his disregard for cleanliness is quite disgusting to the foreigner.

The business men are shrewd in small matters, but distressingly conservative, and conduct their affairs on the "penny wise, pound foolish" principle that seems to obtain throughout the continent. They seldom take the initiative, preferring to leave all new enterprises to the foreigner, whom they jealously watch for fear he may do too well on his venture. When our people attack their integrity, however, a word in their defense is required. These are hard times in Venezuela. Coffee, the main source of wealth, is down to an abnormally low price; labor is scarce and dear, owing to the recent revolutions; foreign capital is being withheld; and, to crown all, the business interests are being preyed upon by the Government much as the Jews were "bled" by royalty in mediæval times. A merchant may intend to meet his obligations in good faith, may even be prepared to do so, when, without a moment's warning, he is made liable for some new tax or may be secretly blackmailed by a Government official. Or a revolution may break out, bringing his business to a standstill, and the despondent proprietor suddenly finds himself forced to subscribe to a Government loan, both the security and the time of repayment being as uncertain as the outcome of the campaign. It is not uncommon for a business man in the interior to be levied upon by both sides, and then suffer a reprisal at the hands of the victorious party for having lent aid to their opponents. No one in our country can conceive of the hardships and hazards to which he is subjected, and if our exporters have cause to regret doing business in Venezuela, let them at least place the blame where it is due.

There is, of course, much business dishonesty, but it is generally to be found in connection with the Government, or at least participated in by a Government official; and the fact that fraud and crime are not rampant is greatly to the credit of the commercial and industrial classes. The Castro régime marks an era of "graft" such as has never been witnessed in the country before, but the majority of the business

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men will be found to have suffered quite as much as the foreigners, and are without the hope of entering a "claim" at some future date.

The peon is intelligent, faithful, and industrious if judged by South American standards, for the shiftlessness with which he is charged is no more than might be expected in a land of constant revolutions. Why should he labor to better his condition, he reasons, when the next revolution may sweep away all his possessions, even to his last burro? Furthermore, he has long since given up any thought of seeking redress before the courts, and the hand-to-mouth life that he leads seems, on the whole, not ill suited to his environment. He is proverbially honest, and would no more think of committing a robbery than he would dream of claiming the right of franchise. He is not a hard drinker, but when intoxicated frequently gets into trouble. He retains the stoicism of the Indian and not a little of the pride of the Spaniard, but has lost, apparently, the jollity of his negro progenitors, and gives one an impression of moroseness—in keeping, certainly, with his miserable existence. He demands high wages because the simplest necessities of life are phenomenally high, and is really no better off than the laborers in many of the West India Islands who receive only a third as much for their day's work.

I cannot dismiss the peasant class without bearing tribute to their kindness and hospitality. Shortly after my arrival in Venezuela, while on a country excursion, I had occasion to call at the native huts from time to time for some slight favor. Not only was I treated with uniform courtesy, but money, as a rule, was declined; one good wife informing me that a glass of water could be had for the asking, but could not be bought.

The Roman Catholic religion prevails in Venezuela, as throughout South America, but the power of the clergy has been very much weakened. As in Argentina, the Church receives a meager support from the State, but is in the humiliating position of having its policy controlled by the President, who does not scruple to use harsh measures when it suits his purpose. The late Guzman-Blanco, indeed, severed the relations entirely and confiscated the property of several orders of monks, expelling the latter from the country. To show his freedom of thought, moreover, this eccentric dictator actually erected a large Masonic Temple in Caracas and paid for it out of the national exchequer. General Castro has given equal offense by having a divorce law passed, and although only one divorce has as yet been granted, the Church is bitterly opposed to the measure and inclined to strive for its repeal. As in many other Catholic countries, the clergy exercise more power in the towns than in the cities, and have treble the number of adherents among the women that they have among the men.

The cause of education, which received great attention during the Guzman-Blanco régime, has steadily declined ever since, and is so neglected by the Castro Administration that the whole system at the present day may be described as an utter farce. There is an attempt to keep up public schools in the cities and towns, and municipal schools are also sustained, but both alike are so wretched that only the poorest parents avail themselves of the privilege of a free education for their children. Fortunately, there are parochial and private schools of better standing which are patronized by the upper and middle classes; but as each creates its own standards and methods, the education even of the children of the best families is quite haphazard. In vast sections of the country no attempt is made to support schools of any sort, and the children, consequently, are little better off than the young Indians of the forest.

Eduardo Blanco, the recent Minister of Education, who is a cousin of the late Guzman-Blanco, has no doubt struggled heroically with the small resources at his command, and has been one of the few men in the Government who seem actuated by a spirit of patriotism. In the universities, of which there are two, and the institutions for higher education, more, perhaps, is being accomplished, but the writer had no opportunity of investigating the conditions outside of the public schools.

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The general standard of intelligence seems, on the whole, higher than one could expect in a people whose education is necessarily so limited; but it must be remembered that the schools were much more efficient two decades ago, and that the Caracas University, which at that time included in its Faculty Dr. Ernst, a prominent German scientist, bore a high reputation not only throughout Spanish America but in Europe as well. The great lack of books and instructive periodicals is very noticeable, and the daily press, which is almost beneath contempt, has less prestige than that of any South American Republic the writer has visited, not excepting Paraguay. One must remember, however, that it is denied the slightest independence in any question relating even remotely to the policy of the Government, so that one must temper his criticism with a good deal of sympathy.

The remarkable political conditions which now prevail can hardly be presented clearly in this limited space. The present situation, however, is briefly as follows: After forty years of anarchy fostered by innumerable factions, many of whom clung to an absurd interpretation of the doctrine of State rights, Venezuela yielded to the despotic but beneficent dictatorship of Guzman-Blanco, who remained at the head of affairs for nineteen years. This, however, while advancing the country's interests, so undermined all republican institutions and left the people so unfitted to protect their rights that the nation has since been a prey to a succession of unscrupulous dictators and their puppets. General Castro, who has now been in power five years, has shown himself to be one of the most irresponsible tyrants that South America has ever seen, and bids fair to reduce the entire nation to bankruptcy if he is not soon overthrown.

The writer cannot venture an opinion as to what the outcome will be, except that the Castro régime is doomed. Whether the nation will be able to restore at least a semblance of representative government or will fall a prey to yet another military adventurer can hardly be predicted even by the Venezuelans themselves, and some, in despair, look to the intervention of the United States to save the country from a repetition of the present disastrous conditions. If the people were of the same blood as the Argentine and Chilian nation, one could regard the outlook more optimistically; but, as I have pointed out, they are a new and untried race, and the process of regeneration is beset with great difficulty.

Caracas, Venezuela.

The Dream of Aristotle and of Isaac

By Ernest Poole

IN a gray, lifeless Russian hamlet, as the dusk thickened, old Isaac sat by his mud-hut door, eagerly nodding over a book and straining his eyes to finish the chapter. His tall back was crooked and bony; a black cap covered his baldness; his clean gray beard hid deep wrinkles; his eyes by overuse were small and faded; his bushy brows twitched nervously up and down. In the miry street before him two hollow-bellied dogs were sniffing garbage; a rooster with a lonely but still gay feather in his tail was contemplating three shy, featherless hens; and a baby sat chuckling at its muddy, wiggling toes. Suddenly the babe's face grew solemn and resolute; he crept behind the ogling rooster and jerked out the one gay feather. In despair and rage the bird turned and pecked the babe. The babe howled. Isaac put his hands to his ears, but it was useless; he looked up, tired and nervous, and you could see now that his left eyelid drooped. He observed the howling babe gripping the feather, and his eyes twinkled as he turned and thus addressed the bird:

"Saul," he said, in Yiddish, "fear not. The hens shall still sing thy praises. There is no young rooster David here." As he looked around the dead, squalid

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street, he added: "Oh, young rooster David still unborn, be joyful and praise God! For where thou art, there would we be also!" He sighed, waited patiently till the babe was boxed and hushed, and then bent to his book. His head again began to nod. In one minute more his old eyes were shining.

"Where thou art, there would we be also." That was why Isaac read—to dream himself out of the mud. His whole life had been just this mud and toil. Already, at forty-eight, he was decrepit. From his ninth year he had bent to his sewing, in the winter twelve hours a day and in summer from four in the morning till eight at night. To read he had to strain his eyes. Only two nights a week could he afford to light the lamp. On other nights he bent close in the dark, or in winter by the fire.

In his reading Isaac had dreamed two long dreams of happiness.

The first was the dream of Haschumiäm, the Hebrew heaven. When four years old he had gone to the little *cheder* (Hebrew school), and there at first for eight and then for ten hours each day he had studied. When he left and went to work, at nine, he could read the Talmud—that vast, bewildering mass of commentaries on the Torah (the Pentateuch). Isaac was told that he must read no other book. Why? Because the Talmud had all that was wise and true; any book that said other things was false and therefore deadly; any book that said the same thing was a repetition and therefore wasteful. Twice a day for twenty years Isaac had pored over the Talmud. He knew the six hundred and thirteen precepts, great and small, from "Thou shalt love thy neighbor as thyself" to "A garment of diverse kinds—of linen and of wool—thou shalt not wear." Most of these precepts were pure and wise, but all were fitted into one great command—submission. So Isaac, degraded as the subject of a Russian despot, starved as a poor man, persecuted as a Jew, was taught by this book to bow under tyranny, to smile meekly while starving, to pray under insults. Why? To gain the dreamed-of happiness in heaven.

The second dream had come only two years before the gay rooster's bereavement. One night a neighbor, Jonathan, had brought over one of those "deadly" books—a battered Hebrew translation of Aristotle. Old Isaac was shocked and waved it aside, but Jonathan smiled and began to read it aloud. Again old Isaac waved and nodded fervently over his Talmud; but soon, in spite of his horror, the new words forced the radiant Greek images into his mind. Deep feelings arose. He could barely see his holy book. His mind whirled. Suddenly—bang! The big Talmud had slipped from his knees. He picked it up with a low cry. Again he tried to read, but again he only listened, trembled, thrilled. And that night he dreamed a new dream—happiness on earth!

Isaac and Jonathan began to read together often. You know what queer wrecks of books are found in a Russian hamlet. Well, they saved and searched for books on Greece. They discussed every page of that Aristotle. They drank in that Greek life like old wine. The gloomy old Talmud had trained their minds to grasp deep thoughts, so now they grappled with new ideas, a new life, a new religion. Does happiness in heaven require unceasing toil, pain, cramped minds and feelings here? "No," cried Isaac, "No!" And so the new dream had gone on.

Now the baby's yells had gurgled down, the dusk deepened, but still old Isaac bent over his Aristotle, and now even his eye that drooped was shining. Then Yetta, his only child, stole out behind him, and the muddy street was brightened. A girl of fourteen, she had soft, black, wavy hair and smiling eyes, the slender charm of a child, and even then a hint of womanly beauty. But she looked tired. Besides her sewing she had cared tenderly for old Isaac since the mother died three years before; she had seen him faint once from heart weakness; she was often anxious; his long work hours were bad enough without the reading. So now she put her cool fingers over his eyes. At once his old face wrinkled into smiles, for he had been dreaming of her while he read. He kept on smiling. At last he reached up his big right hand, took her arm, and

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drew her around to his knee. His eyes opened, still shining from his dream.

"In Athens," he said, softly, "I dreamed I saw thee walking. All around thee were beautiful statues, and behind one of these thy old father hid, winking his eyes like a fool. Hark!—a breeze brings the music of harps and of maidens singing. Here poets like David of old lift up voices of praise. Over there noble thinkers speak fearlessly out, for there are no Russian censors. And all these thy friends, by so beautifully living, grow beautiful themselves in thoughts and feelings, in face and voice and figure." He kissed her. "So I dreamed thy beauty grew," he whispered.

"There was one terrible fault," said old Isaac, and now his big brows contracted. "In Athens only a few could grow beautiful. Most of the people were only ugly, unhappy slaves; they staggered under burdens or bent over tasks from daylight until dusk; for them all the light of day meant toil." Isaac controlled himself sternly, his left hand gripped the chair, his eyes stared into darkness, and his old voice shook as he cried:

"On this life the great Aristotle looked! And then he wrote down—'It must be so! . . . Most men . . . must be slaves! . . . Slaves! . . . Until the shuttle shall move itself! . . . But if that . . . happy time ever comes! . . . Then all—all men may be free!'" His voice dropped. "Then thy beauty might grow; thou shouldst not work all day by me; thine eyes should not fade, but shine and sparkle; thy voice should sing and laugh; thy form should not grow crooked, but graceful as the form of Queen Esther; and thy thoughts—thy thoughts should grow up—as freely—as roses grow . . . When the shuttle moves itself." He held her close now, for his deep shaking voice had made her cry softly. "Jonathan tells me . . . strange rumors from America. Strange tales." He held her silently in the darkness. "There you might be happy," he murmured. "Happy." Above these two, but far out of their reach, the stars gleamed life and beauty. Below and around them two dark gray rows of huts—mud—toil—persecution—slow death.

Three months passed, and again one evening at dusk Isaac bent straining to finish the last seams on a coat. Yetta worked beside him. The song she had sewed to all day she still sang in catches, but her voice was now thin and tired. Soon it stopped altogether, and she bent over closer and closer as the darkness stole down. Then she looked up, saw short Jonathan coming from his hut, and ran in to bring out the big chair. But Jonathan could not sit down; he was too excited; he had a letter which he struck again and again with his hand.

"This!" he cried, "this proves I was right! From Jacob!"

Old Isaac looked up slowly—his left eyelid drooping more than ever. "What Jacob?" he asked.

"Thou must remember!" said Jonathan, looking over the edge of the letter. "Ten years ago he lived three huts from the crossway."

Isaac knit his brows.

"Well!" cried Jonathan, impatiently. "His wife wore the first dress from Odessa. Don't you remember that morning she came to the Synagogue?"

Isaac's eyes twinkled. "Jonathan," he said, "this is sinful."

But Jonathan was impatient—"Jacob—the swiftest tailor—the first man here who sewed on the Sabbath. You can't remember? Why, his boy died of a bad back. You sat up those two nights to rub it."

Old Isaac's eyebrows lifted. "Oi-oi! Poor little Samuel! His father made him sew all day when he was six years old."

"Jacob's heart was small!" cried Jonathan. "His mind was sharp and thin like his body; his fist was always tight!"

"'Thou shalt not curse a deaf man,'" said Isaac, quietly, quoting the Torah, with a twinkle.

"If he was here to listen he would not care! He is too happy! Listen! From here he went to Podolia, and from there, five years ago, to New York. There already his girl grows rich, free, beautiful! Listen—she goes to school and to vau-vau-day-ville concerts, and has fine clothes. He has a factory with sixty men. They work only from eight in the

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morning till three in the afternoon, and yet in that time they make thousands of coats. Why? why?" Here Jonathan's voice became slow. "Because machines do the sewing. And what moves the machines? Electricity! Now will you believe me? The shuttle moves itself! All men can be rich and free at last!"

Isaac got up stiffly, seized the letter and read it. "Oi-oi," he murmured. His brows twitched nervously; his eyes watered; his big hands trembled. When half-way through he looked up. "But is this happiness for all?" His voice had changed and was husky. "Tall Abram went from our village two years ago to New York. He has not written to us. What of him?"

"Here—further on," said Jonathan, pointing down the page. "Abram—in Jacob's factory—happy—working light. And here Jacob says—if we would be happy—come to him!"

Old Isaac bent and stared close a moment, but then shook his head. "Too old—too old," he said, sadly. "I should have gone with Abram." He sat down. "Come back when the light is gone," he said, and Jonathan rushed off to another hut. Isaac worked ten minutes, bending, aching. Then he stopped, with his old head cocked to one side. "Many thousand coats in one day," he murmured. "Oi-oi! Oi-oi!" He worked and then stopped again. "His girl—beautiful—clothes—school—fine concerts—noble music. I wonder now what vaudayville means." So the old man worked in the dark.

Late that night he told little Yetta to go to bed. But she could not sleep, and came softly to the hut door. Isaac sat staring at the big moon, his beard bowing slowly up and down. After a long time she heard him whisper out into the night. She bent closer. "Happy," he whispered. "My Yetta—happy—happy!"

At daybreak she came again. His face looked haggard and old, but his eyes were young and glad, and he seemed to grow stronger and younger with the daylight. "We will surely go," he told her that morning. His voice continued husky and his brows grew very nervous, for to that old man the long, strange journey, with his scant money, was a fearful problem.

Three months later Isaac and Yetta stood in the doorway of Jacob's factory on Broome Street. Isaac felt the whir and buzz. He stared at the long table; on each side fifteen men, almost boys, bending; with elbows jerking back and forth, backs swaying, heads bobbing, eyes straining, fingers jumping, all racing.

Soon Jake saw them at the door. He hurried over impatiently and looked at the old man for a moment. Being short, he had to squint up. He snapped through his nose, "Vot you vant?"

Tall Isaac stared down—amazed and bewildered. Happy, beautiful, free, noble. Jake was only fat.

"Vell? Vy don't you speak?" cried Jake. "Vell? Vell? Vy not?"

"It must be," said Isaac at last in Yiddish. "The voice is the same. Thou art Jacob. Thou art changed in ten years."

Jake squinted harder. Then he rattled in Yiddish: "What—ten years—Russia—yes—yes—Isaac! The dreamer—the Cohen [descendant from Aaron]—glad to see you! And the girl—pretty, by God!—Pretty! Glad to see you—I never forget old friends." He thought hard a second; his shop was short of hands; it was the rush season. "Good!" he cried. "My old friend, let me help you—let me give you work! Friendship first! Money after! Heigh!" he shouted in English to his men who had stopped to look. "Get vorking! Vot's de matter?" He hurried over. "Vell? Vell? Vy not?" Again he went to the door. And then old Isaac, tired and hungry, while he stared at those men racing, heard from fat Jake the story of how to grow happy.

"Work! Save! That's how! I came to New York with a wife and one girl ten years old. I worked in a sweat-shop; so did my girl—you bet—till the truant officer made her go to school; then I told my wife she must have no more children." At this Isaac drew back, for by the Talmud it is a terrible offense for a woman to prevent her fruitfulness. "Had to do it!" snapped

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Jake. "With a big family you can never rise out of the common crowd. Work? I worked faster than all in the shop; Saturdays I worked like a Christian, Sundays like a Jew; I made in rush season eighteen dollars a week; in dull, four dollars; more dull weeks than rush: average, nine dollars. Save? I got free board for my wife with her brother, who made eleven dollars a week; he is a fool and is still poor. Then I got the inspector of a half-orphan asylum to come to my room. "Take the girl," I said; "her mother has become a bad woman." The girl they had for three years. I paid for her one dollar a week, three dollars for my own bed and board, one dollar to my wife for clothes—four dollars saved. The money grew. My wife died from consumption—poor woman!—and cost me sixty-two dollars, for I buried her good. But I got all back by saving. I was happy again. In two years I rented machines and a small shop. In two years more I rented this factory. Here I am. I work no more; I make others work; I know all their tricks, for I have been through the mill; I get every cent's worth out of them. So I am rich. I make two thousand dollars a year, I spend twelve hundred; my girl is sixteen; we have a big flat; we go once a week to Keith's, once a month to the Third Avenue Theater; always American plays; I want for my girl no Yiddish theater. In high school she takes prizes; she is smart and shrewd; she is pretty, she dresses elegantly. We try for a good husband; she knows what I want. When she bought last month a big hat for twelve dollars, I said 'All right.' 'Papa, it will pay,' she said."

Here Isaac squeezed Yetta close to his side. She looked up and smiled, though she was frightened. Isaac was still bewildered.

Jake looked disappointed at getting no congratulations. "So we are happy!" he cried.

"Happy!" old Isaac repeated. He stared round the big, dark, whirring room, and then back to the racing table. "The machine that moves itself," he said at last. "Wilt thou show me how it works?" Then they came to the table.

"Counting buttonholes, pressing, felling, and all," Jake told him, "it will take over fifty people to make a coat. Each does one seam; it beats the old hand sweatshop to death; look how they come!" The coats were tumbling right up the table, one row on the right side, one on the left. Each worker grabbed it and shoved it under his machine. Whir-r-r! Then on. Every man was always shoving or grabbing and so rushing his neighbor.

Old Isaac's brows began moving up and down. "Thousands in a day," he said. "But the men—their faces are old and tired, though they are only boys. Why do not older men work?"

"Speed! Speed!" snapped Jake. "Boys for speed. Old men are no good!" He felt Isaac's hand tighten on his arm and looked up. His eyes grew kind—for Jake had a good heart. "Old men like you can work over there," he said, pointing to a dark corner where nine old men in three groups were pressing coats with hot irons.

But Isaac still looked hopefully at the table. "There is an old man," he said.

Jake followed the pointing finger to the foot of the table—the last place on the left-hand side. "Yes, at the easiest work," he said. "Just one seam on a pocket, and even then he is too slow; he must soon be discharged; he stops too much. Look at him! He is stopping now!" Jake hurried down.

The slow old man never saw him, but stared up at Isaac. Then he pushed his wet hair back; his hollow face flushed red; his eyes grew bright. Suddenly Isaac cried out and ran down the room, while the other old man sprang up. They hugged each other, talking so low that no one could hear, though the workers all stopped and listened hard. Only once they heard Isaac sob, "Abram, Abram," till his voice broke. Then Jake helped the two old men to a corner by an open window, came back wiping his eyes, but saw his men loafing, and shouted, "Vell, vell? Vy not?"

Abram cried when he saw Yetta, for his own girl had taken consumption from him. They talked an hour; from him they learned the dark side; the nine men out of ten; the men who are not quick nor shrewd like Jake—slaves all

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to the machine. At last Abram went, shaking, back to work, and old Isaac came to Jake at the table.

His face had changed. It was wild, his brows bent down, his eyes flashed—even the drooping lid was up.

"The machine has not made men free!" His voice was husky, but so bitter that several men stopped work quickly and looked up. "Most men are worse off than before."

"Well," cried Jake, "how can I help? I was quick, I worked, I saved, I bought machines. The machines work for me, not for all. The machines belong to me."

"And the men belong to the machines!" old Isaac suddenly cried in a loud voice.

"Well," cried Jake, "how can I help? I myself belong to a machine—the big store. I bid against other contractors; I must bid low or get no work; too many men like me have gone into the business; we bid each other to death."

But old Isaac was too wild to listen. "The men belong to the machines!" Now he was shouting and swaying. "It is wrong! Wrong! The shuttle moves itself! The time has come! All men are—free—free! And their—children—Yetta—" He fell suddenly. "Yetta!" On the floor his old face grew slowly quiet.

And two hours later, when Isaac was dead, old Abram led Yetta to his tenement. She spoke not a word. Her eyes were quite dry. Only now and then she shivered slightly.

Athletics and Education

By Paul van Dyke

THE wisest of our intellectual ancestors have always felt that athletics was a part of education. Plato drew a picture of the beautiful and brilliant boy Charmides coming from the athletic field, taking a seat beside Socrates, and talking with him about "Moderation," or the perfect harmony of the powers of mind and body. Some eighteen hundred years later, Vittorino da Feltre, one of the most successful of the men who in his day were trying to free education from pedantry and bring it again into relation with life, established a school at Mantua. His teaching force included masters of riding, fencing, and ball-playing, and his scholars were compelled to exercise every day in the open air at some game or contest which required training and skill. Besides this, in vacation they were sent hunting and fishing or taken on walking trips to the mountains.

In the middle of the seventeenth century, John Milton, who had won an international reputation as a scholar and writer, took private pupils at his house in London. He bitterly regretted that in his boyhood he had been allowed to weaken his health and hurt his eyesight by intemperance in reading. He was proud of the skill in handling a sword he had acquired at Cambridge. Therefore, when he described an ideal of education for gentlemen's sons who might look forward through influence to commands in the army or offices of State, he said that their day's work ought to be divided into three parts, "as it lies orderly, their studies, their exercise, and their diet." Three hours and a half each day, including time for rest, ought to be given to learning to handle weapons and horses and to military drill as infantry and cavalry. In vacation the boys ought to be escorted all over England on riding parties, taken out in boats, and given some practical knowledge of seamanship.

The prominence of athletics in our institutions of learning cannot, therefore, be explained by sarcastic references to the power of fads in modern American life.

Moreover, the wisdom of the past, when it suggests that athletics is a part of good education, seems to be supported by the experience of the present generation. Just about thirty years ago athletics began to receive from college students a larger degree of attention.

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Within ten years the change in that respect was marked, and it was the opinion of older men who had the best chances to know the life of students that this change caused an improvement in student morality, and worked toward the repression of vice and the increase of self-control.

And yet, in spite of these things which every one who discusses athletics and education ought to keep in mind, no reasonable and dispassionate person, young or old, who knows what is going on in the world outside of a very narrow circle can avoid the suspicion that something is wrong about the present practice of athletics at our institutions of learning. The most striking phenomenon connected with the athletics of our universities in the Middle and Northeastern States is the series of football matches played every fall in the four weeks preceding Thanksgiving. Descriptions of them are a prominent feature of the columns of the leading metropolitan papers during the first weeks of November. An equally prominent feature during the last week of November is a succession of editorials denouncing them.

The denunciations of the press have never been so widespread nor so strong as this year. Some of the writers label the matches as "lapses into barbarism," as "stimuli to brutality." The mildest of them, pointing out that in the great chorus of comment the "critics who think every feature of the game repulsive are in the ascendant," dissents from this judgment, but admits that "some grave faults seem to be increasing rather than diminishing."

These newspaper comments represent a public opinion so strong that for the sons of universities to ignore it is fatuous. Even those of us who have been wont to find the greatest pleasure in playing or watching football ought to be willing to discuss the question whether, as at present practiced, it is the kind of athletics which is part of a good educational system.

And the fair beginning of such a discussion is to point out that a great many ridiculous exaggerations are uttered about the evils of the game. It makes one who has known a number of football players flush with displeasure to hear them characterized with a sweeping judgment as a set whose "manners and morals do not belie their hideous exteriors." Surely the framer of such a judgment has not enjoyed the pleasure of meeting at dinner from time to time members of teams. Had he done so, he would have found in five minutes that they were not what his prejudice pointed them, but courteous young gentlemen whose common sense kept them simple in spite of the absurd adulation which surrounded them.

And yet, if we sweep away all these exaggerations of men who never get nearer to the game and to players than the grand stand of a big match, whose play they do not thoroughly understand, have we proved that football as now practiced is just the sort of athletics which is part of a good education?

On the contrary, to escape from the excitement of a big match and think quietly about it makes us conscious of certain features of modern football which prevent it from being as useful in the life of a university as it used to be and as it might again become.

These things are none of them distinctive of university life. They have come in from the outside. They are the result of certain unfortunate tendencies which now beset American life. This is certainly true of certain marked material evils which are often charged against football. Gambling is no more a result of football than betting is a result of Presidential elections. And so those subtler evils which do give grounds for just protest from men who like football are not the native product of university soil. Seeds have come in from the outside, and through the carelessness of graduates and undergraduates they have grown into a noxious crop of weeds which is a disfigurement to the fields of university athletics.

One of the evil features on which a true bill against the present practice of football can be based is hard to define. Its results are plain. The most striking of them is suggested by a New York paper when it points out that fifteen boys and men have been killed at football in

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the past season. Such a summary of facts he who runs may read. But it is not so easy to state justly the evil principle which underlies the hospital records and burial certificates now connected with the favorite game of the most highly educated class of the American people. The best the writer can do to make an abstract statement of this evil principle is as follows: The present game of football is too much inclined to use brute force directed by barely enough skill to make it successful in smashing opposition. There is no doubt about it that large numbers of the American people have a fondness for just that. Two things will draw in any large city of our Republic an enormous crowd—an address on politics by an orator of National reputation, and the attempt by some one who has a chance of success to hammer into insensibility a prize-fighter who has never been beaten. A report of the political oration will go into a large number of the newspapers. The report of the prize-fight will go into a much larger number. From Chesapeake Bay to the Golden Gate, from Maine to Key West, few will shut the latter out of their columns. And the person who supposes that such reports are read only by what he speaks of as the lower classes does not know his America, how this widespread interest is not the pure love of skill. A sparring-match between two agile lightweights, showing the art of boxing at its best, will not attract a tenth part of the interest which follows the bruising and jaw-smashing clash of two great moving masses of flesh and muscle.

The people who think football players as a class are like prize-fighters are guilty of an injustice to which it would be fair to apply some of the epithets they are fond of applying to the young gentlemen they dislike. And those who write in various striking forms of phraseology that the chief object of a football team is no longer to advance the ball, but to maim its opponents, do not know the game. But when all this is said, does it not still remain true that football during the last twenty years has traveled along the path which leads from a skillful sparring-match towards a smashing prize-fight? Is it not true that the style of play—not the style talked about, but the style used—puts an enormous emphasis on the effect of momentum in which mass is the chief factor and speed the second? The winning plays in at least two of the big matches this year showed a crowd of men with the ball somewhere in their midst plowing forward from three to fifteen yards in repeated dashes which ended in a muddled heap of twenty players.

This subject of football is beset with exaggerations, and we must be on our guard against them again. It is not much use for older men to say that this spectacle is not brilliant or interesting. In the first place, that is a question of taste; and, in the second place, the fact that some one hundred and forty thousand people spent about five hundred thousand dollars to see the five great matches last year seems to indicate that football is interesting. But it is reasonable for older men who have watched football for many years to say to those who have seen it for only a very few years that the game is a less brilliant spectacle than it used to be, and that this is so because the success of plays requiring men of extraordinary weight and strength drilled to mechanical exactness in executing monotonous movements is discounting the qualities of speed, agility, coolness, daring, and quick resource which used to be more valuable.

And this is being said, not by college presidents, professors, and other ignorant persons whose opinion on such subjects will be heard with smiling courtesy and forgotten, but by lovers of football of another sort. A Yale athlete, whose love of football and skill in playing it cannot be questioned by any one who is old enough to have seen him on the field, has spoken most vigorously on this subject. Several of the most skillful critics of football in America are of the same opinion. Even though such opinions do differ from the views of two or three seniors he has heard talking, the most enthusiastic freshman cheerer of the "'Varsity" cannot afford entirely to disregard them.

This heavyweight smashing play, which makes football less interesting,

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makes it too dangerous. No Saxon community will ever abandon a game simply because it is rough—a touch of roughness does not disqualify a sport for young men. But, as a matter of fact, football now is a bone-breaking, life-imperiling game. At least that is the judgment of a leading medical journal. It is all very well to say that none of the fifteen fatal accidents this year occurred in the big matches. That is largely due to training. But it is partly due to good fortune. A few years ago a player on one of the big teams received an injury to the vertebral column which caused suffering for years. In the judgment of physicians, he escaped by a hair's breadth from a broken neck and instant death in the rush line. If the present style of play continues, there is a chance that twenty-five thousand students, professors, sisters, sweethearts, and wives may see one of their champions or rivals in gentlemanly sport killed. We actually do see men playing who are suffering from serious injuries. We respect the spirit of those who, when called on to face this risk for the honor of their university, do it without a thought of danger. But how about respecting ourselves, who, sitting at our ease on the bleachers, call upon them to take this risk? The question is whether the pleasure we find in a game which has become so dangerous is one which people of refinement ought to permit themselves.

Another evil connected with the game of football as it is played is the air of hysterical exaggeration which surrounds it. This is not in any peculiar sense a university trait. The American people love fits of hysterical excitement. The wildest scenes of athletic contests do not exceed the senseless displays of "enthusiasm" at great political conventions, when grown men declare their attachment to political leaders by acting like maniacs for half an hour at a stretch.

This atmosphere of artificial exaggerated feeling is so contagious and engrossing that it is hard for one exposed to it to realize its absurdity. The writer cannot vouch for the entire authenticity of the following anecdote, but any one who knows a university community before a great match will say, *Se non è vero, è ben trovato.* A young lad, whose home was in the neighborhood of one whom every educated man in the United States would name in a very small list of the most famous living Americans, said, with a sigh, "I wish I could just once come close to a really distinguished man." "Why," replied the interlocutor, "you must often see Mr. X." "Oh, pshaw!" replied the youngster, scornfully, "I don't mean that kind. I know two men who play on the scrub, but I wish I could just once meet one man who played on the University Team."

The writer did once know a fine young fellow, a very valuable player, who had been injured in play. He was warned by a physician, to whom he went for expert treatment, that he could join in a coming great match only at the imminent risk of his life. He concealed the advice, and helped to win the game, fortunately escaping injury. Does not such a spirit of manly self-sacrifice deserve to breathe a saner air than one which breeds an utter lack of the sense of perspective of the values of life? Is not the atmosphere of *Dulce et decorum est pro patria mori* a little too intense on the modern football field for older men with a sense of duty and a sense of hnmor to stand it longer without some protest?

Surely the common sight of men who have played to the verge of exhaustion, coming off the field and casting themselves sobbing into the arms of their friends, is not in line with the best traditions of Anglo-Saxon manhood. Is the overstrained nervous system, the suppressed hysteria shown in such action, an exponent of the *mens sana in corpore sano* which, according to its ideal, athletics trains?

But nobody concerned in making a football team thinks any more of the *mens sana in corpore sano.* There is not time for such entirely irrelevant considerations. The only matter in hand is to beat opponents. Football is no longer a game. The management of a big team is a business. The teams have budgets like departments of a university. From fifteen to twenty thousand dollars is spent to put one team in the field.

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This money comes from thousands of people who are willing to pay from fifty cents to two dollars to watch the team play. It does not go to the players, as some writers about football seem to suppose; it is spent for beef and bandages, for trainers and clothes, for traveling expenses, towels, wooden stands, doctors, shoes, rubbers, footballs, and other things. And if any question is raised about the wisdom of spending such large sums of money, the answer is invariably the same—"Other universities do it, and unless we keep up with them we cannot win."

The truth is that football as a sport has been absolutely wiped out by the common American appetite for success. With a very few exceptions, university students exercise nothing in football except their lungs and their patience on the bleachers and their tongues in talking about the team. At the smallest of the Eastern universities which has ever been credited with having the best team of the season, the percentage of players to students is probably the highest of the leading universities in football. Last year it was seven per cent. As far as the purpose of athletics in education is concerned, the *mens sana in corpore sano*, the most costly branch of it is the least useful. Every year tennis gives pleasant exercise to more men than football does.

For even among the limited number of players, pleasure is no longer the ruling motive—the desire of glory and the sense of duty animate the team. Among the faithful scrubs who have lost the hope of glory, every day men put on their pads and nose-guards with a strong dislike of the game they think they must play for the sake of the university. Such a situation strikes an English university athlete with astonishment.

This American desire for success which has mastered football has long been recognized as a trait which does great things but brings with it great dangers. Writer after writer has pointed out how much the desire to win, unchecked by fair play and law, has done to promote cheating and corruption in business and politics.

The charge is made repeatedly, never so strongly as this year, that it has utterly destroyed sportsmanship and fair play in football players and their applauders. The writer must again protest against one of those exaggerations by which critics are driving their own case out of court. No one whose opinion is worth listening to would deny that every big team in America has at some time in the past played a man who would not have appeared on the rolls of the university but for football, and that no team has invariably been free from the presence of one who showed on the field that he was lacking in the temper of a sportsman and a gentleman. But these things are exceptions and not the rule. The desire for success, the "lust of winning" which has so distorted football, has not wiped out the sense of generosity and fair play. And it has not done so because of the sterling qualities in the average American student.

And these sterling qualities in the American student indicate the way towards reform. University authorities are called upon to suppress football by joint action, in some parts of the country under threat of State laws prohibiting it. The fact that they do not take such action indicates their opinion that it is not wise. Two reforms are immediately practical: changes in the rules to make the game less dangerous; a reduction in the expense which is one root of exaggeration. The sense of reason, of honor, and of humor which the American undergraduate is capable of showing in managing his own affairs is dormant, ready to be awakened and led, in the words of the New York "Tribune," to make "American college sports fully serve their essential purpose."

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The Greatest of the Trusts[1]

INDUSTRIAL combination, in the abstract, has long been an attractive theme to the treatise-writer; but the works that have made solid, definite contributions to our knowledge of the structure and workings of the "trust" itself, in the concrete, are singularly few. One of this latter class of books has recently come from the press. The value of Miss Tarbell's "History of the Standard Oil Company" lies largely in the fact that the author has no thesis to sustain and is willing to let her readers draw their own conclusions. The one pre-eminent function of the trusts' historian, in her view, is a Gradgrindish and somewhat old-fashioned adherence to cold fact. To this conception of her office the author resolutely and consistently holds throughout the work. It is this impartial attitude that makes her statements the more convincing. She never for one moment permits her readers to forget that she has a story to tell, rather than a theory to propound—that her sole purpose in writing the book is to set forth, once for all, the dramatic rise of the mightiest capitalistic aggregation in all history. The methods by which that rise was made possible must be described, and whether those methods were fair or foul, or both, it is left to the reader to judge.

If the annals of modern industrialism contain a more interesting chapter than that which records the exploitation of the American petroleum fields, it is a chapter yet unwritten. The excitement attending the discovery of oil in Pennsylvania has been likened to the California gold craze of 1849. It followed the great Civil War, in a time of social and political upheaval, when the brute instincts of men struggled against every higher ethical impulse and too often triumphed. The "economic man" of the books had no embodiment in those days. He was swallowed up in the gluttonous, murderous savage. How hard to realize that less than forty years ago the one recognized law of our industrial system was the principle of unrestrained competition! Yet it was in such an economic chaos that the foundations of the oil monopoly were laid, and few were those who were gifted with the prescience to foresee that from such beginnings was to be developed the most impressive example of industrial solidarity that the world has known. It seems to us now that the extreme individualist, or anti-monopolist, can get small comfort from Miss Tarbell's story of the crude attempts made by the "independent" producers and refiners in the early days of the oil industry to supply the public demand for their staple. Most readers will be convinced, we believe, that the present monopoly—the dreaded "Octopus"—is supplying a purer and better grade of oil for illuminating purposes than any number of competing companies would have been able to put upon the market. The brief era of individualism in oil production gave little promise to the consumer. Consolidation, on the other hand, has brought about marvelous improvements, of which the consumer has become, in a great degree, the beneficiary.

Consolidation in the oil industry, it is reasonable to infer, was inevitable. So far as the triumph of the little group of Cleveland refiners over their rivals was the natural outcome of the workings of economic law, the bitter and protracted opposition of the Pennsylvania producers was quite as hostile to the public welfare as the acts of the monopoly itself. As we follow Miss Tarbell's closely woven account of the statesman-like moves directed from Cleveland in the early '70's, it is easy to believe that the Standard Oil Company, despite all handicaps, *might* have distanced its competitors by sheer skill in management. It actually gained its ascendency, as the public learned many years ago and as Miss Tarbell's record makes perfectly clear, through the enjoyment of railroad shipping rebates, denied to its rivals.

[1] *The History of the Standard Oil Company*. By Ida M. Tarbell. In 2 volumes. McClure, Phillips & Co., New York.

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Some of those rebates were illegal; all were unjust and, from a social point of view, indefensible. Thus the great transportation interests of the country—which had been, as much as any other interests, the sport of free competition—became responsible for the establishment of the oil monopoly in the hands of Mr. Rockefeller and his associates, who had at least the justification, so common in business life under the competitive régime, that any one else would have done the same thing under the circumstances—while the railroads were subject to no inter-State regulation whatever, and acknowledged no law but that of might.

The shameful story of the South Improvement Company, which failed in its purpose, and of the later manipulations by the chiefs of that discredited enterprise, which succeeded only too abundantly, is not in itself new. The facts were elicited years ago by legislative committees, and were duly presented to the reading public in "Wealth Against Commonwealth," by the late Henry D. Lloyd, and in other publications. In the appendix to the first volume of Miss Tarbell's work there is reprinted a mass of documentary evidence in support of her statements regarding contracts which existed between the railroad companies and the oil refiners. If the slightest doubt lingered in any one's mind as to the completeness of the case against the Standard Oil officials (and the railroad officials likewise) in the matter of rebates and discrimination, it should be dissipated by a study of this evidence. The management of the Standard, regarded purely as an industrial enterprise, was superb from the beginning. As such it has received and has deserved the world's praise. It has stood as an effective demonstration of gifts and talents that are peculiarly American, and in which Americans may take a legitimate pride. But the fact remains that this great enterprise, fruitful as it has been in benefits of a certain sort to the community, was bottomed on flagrant and ill-concealed injustice.

If this were a sporadic or isolated instance in our industrial life, we might banish it from our thoughts as we would a nightmare, and go unconcernedly on our way; but we cannot dismiss it so lightly. If this was a crime against society, the guilt was not confined to the agents of the oil trust, nor to the co-conspirators in the railroad offices. Society itself must share the responsibility. If the history of this conspiracy teaches anything, it is that corporations must be regulated by the State. In the anarchistic conditions that prevailed a generation ago it was not unnatural that those who sought to exploit the people should war among themselves, and that, in the absence of a restraining hand, the weaker should everywhere be overborne by the stronger; but we should at least have learned ere this that the welfare of the whole people demands the Government's constant watchfulness over those monopolies which are themselves the creatures of the State. President Roosevelt is now demanding National anti-rebate legislation. If the present Inter-State Commerce Law, with its proposd amendments, had been in force in 1870, it is certain that the rival refining companies of Cleveland and other cities would have had at least a "square deal."

One feature of Miss Tarbell's book that is quite new, we feel sure, to the general reader, is the picture that it gives of the oil regions themselves and of the men who led in the producers' "war of independence" and for so many years defied the refiners' trust. How these characters have so generally evaded the fiction-writers is a mystery. Second only to the California gold-hunters in picturesqueness, they represented as distinct a period in our economic development as did the Argonauts themselves. Miss Tarbell has proved a good claim to western Pennsylvania of the '60's and '70's as her peculiar province for literary purposes.

In her analysis of the legitimate greatness of the oil combination, Miss Tarbell reasons that its force has been greater because of the business habits of the independents who have opposed it. "To the Standard's caution the oil regions opposed recklessness; to its economy, extravagance; to its secretiveness, almost blatant frankness; to its far-sightedness, little thought of the morrow;

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to its close-fistedness, a spendthrift generosity; to its selfish unscrupulousness, an almost quixotic love of fair play. The oil region had, besides, one fatal weakness—its passion for speculation. Now, Mr. Rockefeller never speculates. He deals only in those things which other people have proved sure!"

Well may the children of the "oil regions" have grown up in a belief that uncanny power attended the resistless progress of the trust. At first the secret of cheap transportation was not fully understood by the producers. By the time the South Improvement Company had been suppressed, the Standard was so far ahead of its competitors in the race that it could afford to give odds. The independent refineries, one by one, were absorbed. But when the pipe-line method of transporting crude oil to the refineries was discovered, it was thought that competition between refiners would again have play. Delusive hope! The Standard was able to control the pipe-lines. The pipe-lines were decreed to be common carriers, but what of that? The Standard was now in a position where it could snap its fingers at competing refiners. It had distinct and legitimate advantages over all of them—not to speak of advantages that were believed to be not so legitimate. The next move on the part of the producers was to pump the oil over the Alleghanies and pipe it to the seaboard; but when it reached the Atlantic, the Standard was there to receive it, for the independent refineries of New York, Philadelphia, and Baltimore had been bought up by the trust. If the producer had crude oil to sell, he could find a purchaser, and whether he turned to the east or to the west it was always the same purchaser who named the price.

From the producer's point of view this seemed cruelly unjust. Yet it is maintained, with some show of reason, that the consumer, having suffered much and paid dearly for the "oil wars" of the earlier period, now has cheaper as well as better oil as a result of the monopoly. Declines in the price of oil since the '60's are attributed by Miss Tarbell to the pipe-lines, to the utilization of by-products, to transportation in bulk, and to various small economies. The Standard's compact organization and highly efficient administration have taken advantage of these economies to the utmost, and the results are shown in Standard Oil dividends, if not in reduced prices to the consumer. There are still gross inequalities and discriminations against localities. Thus far the National Government has failed to get at these abuses. We shall never have low prices by legislation, but we should at least be able to prevent the wrongs and illegalities revealed by the Industrial Commission a few years ago.

The first chapters of this history show that the Oil Trust was born when the control of transportation was practically achieved by Mr. Rockefeller and his associates. The concluding chapter shows that transportation is to-day, as it was a generation ago, the nerve-center of the trust question. Certainly the first concern of the National Government is with the common carriers of inter-State traffic. It is undoubtedly true, as Miss Tarbell states, that the Standard, through its pipe-line system, has a far more complete control of crude petroleum than it had in 1887, when the Inter-State Commerce Bill became a law; but the railroad discriminations, which are clearly within the province of the law, are sufficiently glaring. The freight rates, for example, between Chicago and New Orleans are about two cents per hundred pounds less on most commodities than between Cleveland and New Orleans; but on petroleum and its products there is a difference in favor of Chicago of ten cents per hundred pounds. The Standard's oil refined at Whiting, Indiana, is shipped on Chicago rates and sold throughout the Mississippi Valley. Can the independent refiners at Cleveland compete with the Standard for the New Orleans market in the face of such a discrimination?

It is a pleasure to the reviewer to deal with so workmanlike a book as this. The amount of research required in its preparation must have been enormous. In this respect it ranks among the few great historical undertakings of American authors of this generation. Yet it is a model of condensed, graphic state-

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ment. The dramatic aspects of the story are not lost in the telling, while the arrangement of the materials is convenient for the purposes of the student and the legislator as well as for general reading.

Mr. Saintsbury's "History of Criticism"[1]

GIFTED with a capacious memory, Mr. Saintsbury's mind, when it comes to the processes of thought, reveals itself as distinctly second-rate. Its judgments fail to distinguish between the important and the unimportant—one of the first traits of superior mentality; and in expression it is often slovenly and obscure. He is Professor of Rhetoric in the University of Edinburgh, and as such he is expected to preserve the best traditions of English style. Yet there is no pretentious scholar of to-day who does more violence or shows less deference to the proprieties of his mother tongue. Almost any page of his latest publication, taken at random, will furnish examples of barbaric diction, alien constructions, and sentences packed with phrases within phrases like the decreasing series of boxes in the conjurer's trick. The ground objection to this History of Criticism is that, with all its wealth of material and faithful investigation of original sources, it is the work of a cloudy and often incoherent mind.

Amid the tangle of its diffuseness there are many flashes of acute observation, and the result of a patient reading is an undeniable stimulus. Modern criticism, with which this third volume deals, shows a growing tendency to defend the rights of Romanticism against the tyrannical authority of Classical culture and literary law. This effort, in fact, gives unity of purpose to the modern critics. In the eighteenth century, under the dominating influence of Boileau and the pseudo-classicists, the soul of literature was permitted to breathe only in the strait-jacket of the ancient rules. The first men of importance to break this bondage of tradition were Lessing in Germany, Diderot in France, and Hurd in England.

Lessing, Mr. Saintsbury believes, has a greater reputation as a literary critic than he deserves; for the purely literary content of his contribution is slight. He exorcised the French obsession and veered the Germans toward Shakespeare. Diderot is the leading figure in the early French revolt. He cast prejudices aside. His attitude of judge is like that of a sensitized plate open and faithful to all impressions, and he is one of the first to assume the mood of disinterested candor. Hurd merits more praise than he gets as a defender of the new school. Although glimmers of his contentions may be found in his predecessors, Mr. Saintsbury gives him chief credit for the proposition that "the Goths and the Greeks are to be judged by their own laws and not by each other," a proposition in essence the declaration of independence for Romanticism.

Space will not permit us to detail the correlation of critical currents and cross-currents of the century. We can select, and for passing note, only several prominent Englishmen who were masters at this trade. The present historian considers Coleridge, barring his elusiveness, as one of the greatest critics of all time. The "Biographia Literaria" remains, without supersession, the best document on the principal things of poetry. Close to Coleridge, almost vying with him, he places Hazlitt. This whimsical writer, although he enunciates no new standards, is supremely fertile in appreciation and in "inspiriting quality."

It is refreshing, after reading Mr. Saintsbury's captious and fiddling life of Matthew Arnold, to find him here more judicious. Arnold he regards as the most important critic in Europe since 1820, and one of the most ponderable of all. One of the chief issues in Arnold's system is the displacement of the emphasis from the *execution* to the

[1] *A History of Criticism* (Vol. III.). By George Saintsbury. Dodd, Mead & Co., New York.

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substance of the literary conception. "All depends on the subject," declared Arnold, who felt a surfeit of finical form and decoration. Pater, in some respects Arnold's antipode, is placed as the chief English critic of the last quarter of a century. He stands for the doctrine of "the single word," which runs its lineage back to the preachment and practice of Flaubert.

These clippings give no suggestion of the wide ramifications of the work. Even the criticasters are treated deferentially, with evident personal knowledge of their books. The author's assiduity of research has been astonishingly zealous. "Exhaustive" is the word which comes to the reviewer's mind as he surveys the range of this history. When, however, it comes to the performance and an estimation of the quality, his honest opinion must describe the product as not other than second rate. Nevertheless, no work in this field covers the ground so completely or with such wealth of knowledge.

Books of the Week

This report of current literature is supplemented by fuller reviews of such books as in the judgment of the editors are of special importance to our readers. Any of these books will be sent by the publishers of The Outlook, postpaid, to any address on receipt of the published price, with postage added when the price is marked "net."

Art of Right Living (The). By Ellen H. Richards. Whitcomb & Barrows, Boston. 5×7¾ in. 50 pages.

Advice on matters of food, sleep, air, exercise, and the like, from the point of view of one who has had extensive experience in promoting "domestic science."

Bible Problems and the New Material for their Solution. By T. K. Cheyne, D.Litt., D.D. (Crown Theological Library.) G. P. Putnam's Sons, New York. 5×7½ in. 271 pages.

We have here an important lecture given last June, amplified and furnished with needful notes. Professor Cheyne frankly admits that he is evil spoken of, but anticipates that his detractors will yet become his fellow-workers, and that with eagerness. His lecture is in part a presentation of the new facts which require better attention, and in part a plea for bolder Biblical criticism, as justified by these facts, and as necessary to the now imperative work of theological restatement. Conservative scholars will have to admit, says Professor Cheyne, that both the Old and the New Testament must be studied in the light of mythology as well as by the help of exegesis and history. "The real presence of a Spirit of Holiness in Israel is best proved by its transformations of the rude and gross conceptions of a primitive age." Another point strongly insisted on as of the first importance among new facts is Winckler's discovery in Assyrian inscriptions of North Arabian names that suggest numerous corrections in our present text of the Old Testament. Professor Cheyne declares, however, that his views "tend to increased conservatism in the rendering of the text of the Jewish Old Testament," and, so far from subverting the affirmations of the Christian consciousness, confirm them. And yet, he says, "the Anglican Church is more suspicious of research than was the old Latin Church." In this mental attitude, doubtless, the main impediment to scientific progress consists.

Broadway: A Village of Middle England. By Algernon Gissing. Illustrated. (The Temple Topographies.) E. P. Dutton & Co., New York. 4×7 in. 91 pages. 50c., net.

In the charming series entitled "The Temple Topographies" we now have a description of Broadway by Mr. Algernon Gissing, with illustrations by Mr. Edmund New. The present volume should appeal to the lover of England by its clear description of topography and by its apt references to history. In some pages it also reflects the peculiar atmosphere and poetic charm of a typical English village.

Burne-Jones, Sir Edward. By Malcolm Bell. (Newnes' Art Library.) Illustrated. Frederick Warne & Co., New York. 6½×9½ in. 72 pages. $1.25.

The recent publication of the notable biography of Burne-Jones by his wife lends special interest to the present volume. Like its predecessors, it has as its main feature many illustrations and a small amount of prefatory text. As the text is the work of Mr. Malcolm Bell, however, it bears the marks of the same authority and illumination which we find in his other and larger volumes. The execution of the illustrations is of rather unequal merit, but they are well chosen and are deeply interesting.

Cambridge Modern History (The). Planned by the late Lord Acton, LL.D. Edited by A. W. Ward, Litt.D., G. W. Prothero, Litt.D., Stanley Leathes, M.A. Vol. III. **The Wars of Religion.** The Macmillan Co., New York. 6½×9½ in. 914 pages. $4, net.

The sixteenth century, the period covered by this volume, was a period of revolution, the momentous revolution whose chief characteristic was the transfer of the allegiance of the progressive nations from clerical authority to civil. The militant activity which this occasioned was manifested not only in bloody

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battles, but in bitter persecutions, and in the animosity of rival sects as well as in that of rival States. Thus broadly must the phrase, "The Wars of Religion," be understood. An ugly phrase it is, yet the concluding sentence of this volume utters a truth often overlooked: "If much is due to the virtues of these men, something also is owing to their vices." The sacredness which the Protestants asserted for civil government against the claim of Papal government they phrased as the divine right of kings. That political liberty was saved from extinction by tyranny under cover of such a claim was largely due to the passionate determination of religious sects, often uncharitable as it was, to maintain an independent existence. Large tracts of the history of this chaotic century are almost as arid reading as the battles of the kites and crows. Chapters to which one turns with relief are such as those on "French Humanism and Montaigne," "The Elizabethan Age of English Literature," "The End of the Italian Renaissance," "Political Thought in the Sixteenth Century." Other chapters center in personages of perennial interest—Henry IV., William the Silent, Mary Stuart, Elizabeth, Philip II. The whole is enriched for students by a bibliography of over a hundred pages.

Charles William Eliot. Engraved Portrait. John A. Lowell & Co., Boston, Mass. 17×22 in. Sold by subscription.

This is an excellent copper engraved portrait of President Eliot, made from life. A reproduction of this portrait appeared in The Outlook for August 6, 1904.

Daniel Webster: The Expounder of the Constitution. By Everett Pepperrell Wheeler. G. P. Putnam's Sons, New York. 6¼×9½ in. 188 pages. $1.50.

This is at once a tribute to the genius of Daniel Webster and a handy manual to the decisions which, following Webster's arguments before the United States Supreme Court, have molded the Constitution to make it adequate to our needs. While Mr. Wheeler's chief concern is with the constitutional questions laid before the Court, he is not unmindful of the Senatorial side of Webster's career from the Constitutional standpoint, and chapters are given over to the replies of Calhoun and Hayne, involving the nature of the Republic, and to the famous "Seventh of March" speech, which brought such disappointment to the enemies of slavery, but in which, Mr. Wheeler argues, the speaker assumed an eminently correct position, because, "as Senator from the State of Massachusetts, he had no Constitutional right to interfere with slavery in the Southern States, and he felt it his duty to convince his countrymen, if possible, that the observance of the obligations which they had assumed when they adopted the Federal Constitution was consistent with good conscience." Mr. Wheeler is in happier vein in the purely judicial chapters, which are carefully developed and involve an exposition of the negative as well as the positive effects of the decisions rendered. Interest is heightened by the inclusion of hitherto unpublished accounts of several of the more important cases, and by an appreciative study of Webster as a lawyer.

Elements of Comparative Zoology. By J. S. Kingsley, S.D. Illustrated. (Second Edition, Revised.) Henry Holt & Co., New York. 5×7½ in. 437 pages. $1.20, net.

England Under the Stuarts. By G. M. Trevelyan. G. P. Putnam's Sons, New York. 5⅜×9 in. 568 pages. $3.

If this volume may be accepted as characteristic of the co-operative history of which it is a segment, the enterprise is deserving of warm commendation. Mr. Trevelyan approaches his task in the spirit of the true historian, and succeeds in interpreting the period allotted to him in terms at once attractive and convincing. His style is that of the picturesque school, his treatment that of the philosophic, a combination calculated to produce excellent results. Appreciative of the evolutionary aspect and the essential unity of history, he develops at the outset the thesis on which his entire monograph rests—that the significance of the Stuart epoch lies in the fact that whereas the Continental peoples of Europe attained nationality only through military despotism, the English people under the Stuarts solved the same problem unconsciously through a free constitution, manifesting and vindicating itself in the face of monarchical despotism. Stress is logically laid on principles, and as a result the reader is given a brilliant exposition of the moving causes in the awakening of the national conscience and intellect, and of the momentous events leading to and growing out of the birth of a democratic public opinion. The first two chapters give the setting, a vivid reconstitution of the social, religious, and intellectual environment of the Englishman of Stuart days. We could wish that more attention were paid to the economic side, and particularly to the growth of the English dominions oversea, but whatever deficiency may in this respect be found is almost compensated in the searching generalizations summing up these phases of the hundred years. In generalization, indeed, we do not know any historian of the younger generation, unless it be Herbert Paul, who approaches Mr. Trevelyan. His personal portraits are marked by fairness and breadth of view, this being notably the case with the pictures of the first James, the second Charles, Cecil, Laud, Strafford, and Pym. The first Charles and Cromwell are limned less distinctly, being thrust, as it were, into the background of the tremendous upheavals of their day. It is in his study of these upheavals and of their immediate aftermath that Mr. Trevelyan is most successful, his interpretation of the reigns of William and Mary and of Anne showing a perceptible falling off. The importance of the Annean era, from the parliamentary point of view, seems, indeed, to be imperfectly apprehended, and the narrative is palpably less scholarly and smooth. Not-

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withstanding, this must be accounted a work of high merit, embodying the results of the latest research and developed along sound lines. We shall have occasion to refer to it again in discussing as a whole the history in which it finds place.

Faerie Queene (The): Book One. By Edmund Spenser. Edited by Martha Hale Shackford, Ph.D. (Riverside Literature Series.) Houghton, Mifflin & Co., Boston. 4½×7 in. 227 pages. 30c.

Historical Tales: The Romance of Reality. By Charles Morris. The J. B. Lippincott Co., Philadelphia. 4½×7½ in. 346 pages.

The author has collected a number of those stories of bravery and heroism with which the annals of Spanish exploration and discovery in the New World are filled, retelling them simply and effectively.

How to Plan a Lesson; and Other Talks to Sunday-School Teachers. By Marianna C. Brown, Ph.D. The Fleming H. Revell Co., New York. 4½×7½ in. 93 pages. 50c., net.

Hurrell Froude: Memoranda and Comments. By Louise Imogen Guiney. Illustrated. E. P. Dutton & Co., New York. 5½×8¾ in. 439 pages. $3, net.

Richard Hurrell Froude, brother of the historian James Anthony Froude, is now known to but few except those who have more than ordinary knowledge of English religious movements, or have some special interest in the personalities concerned in the Tractarian Movement specifically. The impression this volume gives of him is of an uncompromisingly sincere man, of a poetic and sensitive temperament, unselfish in big things, irritatingly selfish or rather inconsiderate in small things; very insular in his toryism, which amounted to distrust of humanity; very faithful in his friendships; by nature adapted for the admirable sort of mental culture that an English university can give supremely well; profoundly but, according to some standards, narrowly religious, and stimulating to every one who knew him. He was John Henry Newman's most intimate friend. Indeed, Newman wrote of his death that it was the greatest loss he could have, and that he could not describe his debt to him "as regards the intellectual principles of religion and morals." Hurrell Froude was one of the group in the Tractarian Movement who most strongly craved for external authority. He was savagely bitter in his feeling about the Protestant Reformation, and found the barrenness of Protestant practice so distasteful that he finally came to the conclusion that everything in the Church of Rome ought to be accepted except those things that could be positively proved inconsistent with the traditions of the first six centuries. His habit of self-examination, which from early years was inexorable, ought, it would seem, to have saved him from denying thus his own faith in the universal presence of the Divine Spirit. His contributions to the "Tracts for the Times" and to the "Lyra Apostolica" constitute about all of his writings that have survived him; but his most permanent influence has come through Cardinal Newman. He died of consumption, or rather was killed by the ignorant treatment of the disease. This volume consists of two parts, the first being a sketch of him and his life, mainly by means of letters and journals; the second being a collection of comments on him and his relation to the Oxford Movement. The editing has been done sympathetically, and, in spite of the opportunity offered for the exercise of a rich and rather over-refined literary style, with restraint.

Life and Energy: An Attempt at a New Definition of Life: With Applications to Morals and Religion. By Walter Hibbert, F.I.C. Longmans, Green & Co., New York. 5×7½ in. 182 pages.

The author examines the nature of matter and of energy, and differentiates each from life. He explains that life is not matter, rather needlessly using space to controvert some stupid notions which he believes to be widespread. He declares, too, that life is not energy; for energy can be measured in foot-pounds of work, and can be transformed; whereas life cannot be. Life is rather a directive control of energy; but, unlike pressure, for instance, is not a factor of energy. He then applies his conclusions to the domain of morals and religion. Without a rehearsal of the argument which he follows, it is enough to say that he reaches the final thesis that as God, the supreme "non-factorial directive control," has given to Jesus Christ his own nature, it is distinctly degrading for a Christian to attempt to exercise anything like physical force for the attainment of moral and spiritual ends. Neither the method of treatment nor the style of the book seems to us particularly happy.

Life of Thomas Hart Benton (The). By William M. Meigs. The J. B. Lippincott Co., Philadelphia. 5×8 in. 535 pages. $2, net.

The life and long public services of Thomas Hart Benton may well be studied by those who would appreciate the complex forces at work during the first half of the nineteenth century to imbue our country with strength even while plunging it into the horrors of civil war, and to direct it into the path of greatness. The thirty years that saw Benton in the United States Senate witnessed many a history-making event, but, above all, they witnessed the steady growth of the spirit of nationality. And of this spirit Benton was typical, even more than he was typical of the young but lusty West. Narrow and partisan in some respects, he stood with Jackson, Webster, and Clay in love of and faith in country, and on the larger questions affecting its destiny he was loyal to its best interests, his loyalty ultimately retiring him to private life. To give a detailed account of his career, to exhibit his personality and the factors molding it, and to indicate his place in the upbuilding of the United States, is the endeavor of Benton's present biographer, whose work, unfortunately, is more ambitious in scope than successful in accomplishment. Mr. Meigs has been at pains to glean from many sources—from the records of Congress,

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from Benton's writings, from the works of authorities such as Winsor, Bancroft, Parton, from letters, from recollections of contemporaries—a great variety of facts bearing on his subject, but he has not been at equal pains either to use these facts discriminatingly or to present them in an orderly and clear manner. His account of Benton's public life is unusually full in point of detail, but is open to criticism as regards proportion, choice of words, verbal arrangement, and even accuracy of statement. At times making extravagant claims for Benton, we elsewhere find Mr. Meigs doing him far less than justice—especially in the inclusion of anecdotes it were far better to have left in the oblivion whence he has drawn them. Altogether, we have read the work with distinct feelings of disappointment, the disappointment being heightened by the reflection that the author has undoubtedly grasped Benton's historical importance, and that had he but bestowed on the execution of his task the care evident in the gathering of the materials, he would have given us a biography well worth while.

Modern Civic Art. By Charles Mulford Robinson. (Second Edition. Illustrated.) G. P. Putnam's Sons, New York. 6×9¾ in. 381 pages. $3, net.

We are glad that a second edition, with the addition of designs, has been published of this valuable volume. As its author well says, nothing has been more remarkable than the growth of the Civic Improvement movement during the past few years. Upwards of twelve hundred local improvement societies in the United States are now recorded. Through National organization these clubs have begun to come in touch with one another. The best phase of the movement, in Mr. Robinson's opinion and in ours, is neither its extent nor its efficiency, but the dependence it puts on the ideal. The City Beautiful is now a tangible goal. Nobody longer laughs at it. Sober boards of trade work for it, and even politicians have some respect for the popular faith in it.

Paolo Veronese. By Mrs. Arthur Bell. (Newnes' Art Library.) Illustrated. Frederick Warne & Co., New York. 6½×9½ in. 83 pages. $1.25.

The latest addition to the Newnes' Art Library is a work on Paolo Veronese. The interesting text has been written by Mrs. Arthur Bell, and we could wish that her limits of space had been greater. Far too little is known about Paolo Caliari, called Veronese. He was the last of the great group of Venetian painters. In the magnificence of his compositions he rivaled Tintoretto; in the grandeur of his individual forms he rivaled Titian. His works are the works of one who worshiped beauty for its own sake only. If many of his pictures bear Scriptural titles, the spiritual significance of their incidents does not trouble us, and, we think, did not concern him. The fault is our own if we seek to read in his canvases a meaning which a Giotto or a Fra Angelico, treating similar subjects, might have conveyed in earlier Italian days. Veronese's idea of line and form was pagan in spirit. It was thoroughly characteristic of the worship of the purely sensuous. While his pictures never proclaimed great spiritual truths, on the other hand their sensuousness rarely if ever sinks to sensuality. We could wish that the many illustrations in the present volume were more adequate in quality, but it would be difficult to reproduce in black and white pictures by an artist who depended for his effects far more on color than on line.

Peculiar People (A): The Doukhobórs. By Aylmer Maude. Illustrated. Funk & Wagnalls Co., New York. 5½×8 in. 338 pages. $1.50, net.

Mr. Maude frankly admits that he and other Tolstoyans were in some respects in error as to their earlier ideas about this singular people. The fanaticism and unreason displayed by many of them in Canada, and particularly in the "pilgrimages" in which hundreds of them abandoned their homes and work, let their cattle roam, rejected the use of all metal-made articles, and marched in an aimless way through the country half frozen and half starved, sometimes even entering towns in a state of nudity—all this may have been spasmodic and not conclusive of their general aims and ideas, but it shows how hard they have been to deal with in a civilized and well-governed country. Their present leader, Verígin, is, Mr. Maude thinks, a capable organizer, and many of the Doukhobors are becoming prosperous. In answer to the question whether the Tolstoyans have gained by their efforts to help the Doukhobors, Mr. Maude says:

> Apparently, in the first instance, they have lost. With flourish of trumpets they proclaimed to the world that they had discovered a tribe of primitive Christians, practical exponents and exemplars of non-resistance, fit for the rest of mankind to imitate. When the matter came to a practical test, the Doukhobors surprised us all by showing scant regard for the wishes or convenience of the Canadians, who had offered them a home in the New World. They developed unintelligible scruples, doubted the morality of vital statistics, the lawfulness of keeping domestic animals, or even the propriety of using things made of metal, or of doing any work! An examination of the origin of these scruples led to the discovery of their superstitious reverence for their leader—of the extent of whose sway no hint had been given by those who spoke authoritatively on behalf of the sect and professed to understand it. All this was disappointing. But in another way gain has come to the Tolstoyans. Many a man who has been aroused, for the first time, to a keen interest in life's problems by Tolstoy's writings has been inclined to attach an overwhelming influence to the opinions of the teacher to whom he owed so much. To such men the lessons of experience taught by the Doukhobor movement, and the knowledge of Tolstoy's indiscretions in connection with it, have sometimes served as a useful warning that, like other mortals, Tolstoy, too, is fallible. The effect has been to check the trend towards sectarianism which is observable among some Tolstoyans, however contrary it may be to the wishes of their leader.

The book, although not very well put together, is an extremely interesting study of what may be emphatically called, as by the author in his title, "a peculiar people."

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Rambles Abroad. By Olive A. Colton. Illustrated. The Franklin Printing and Engraving Co., Toledo, Ohio. 6×9¼ in. 288 pages.

Roman Society from Nero to Marcus Aurelius. By Samuel Dill, M.A. The Macmillan Co., New York. 5½×9 in. 639 pages. $4, net.

Reserved for later notice.

Soil (The): An Introduction to the Scientific Study of the Growth of Crops. By A. D. Hall, M.A. Illustrated. E. P. Dutton & Co., New York. 5×8 in. 286 pages. $1.25, net.

A manual for the student of agriculture, describing modern scientific methods of determining the kinds of soil that are best adapted to different crops, and the means used for preparing the soil to produce the best results.

Strasbourg. By Paul and Victor Margueritte. Edited by Oscar Kuhns. Henry Holt & Co., New York. 4½×6¾ in. 238 pages.

Tale of Two Cities (A). By Charles Dickens. Edited by Margaret Coult. Illustrated. (Standard Literature Series.) The University Publishing Co., New York. 4½×7 in. 238 pages. 20c.

Two Years in Three Continents. By Edgar M. Condit. Illustrated. The Fleming H. Revell Co., New York. 5¾×9 in. 626 pages. $2.

Whistler's Art Dicta and Other Essays. Charles E. Goodspeed, Boston. 4½×8 in. 46 pages. $3.50.

This exquisite volume will be a valuable keepsake to those who admire Whistler. It is remarkable, first, because of its superb print, secondly, because of some remarkable facsimiles, and, thirdly, because of a criticism which may well be a *vade mecum* to those who would better understand Whistler—to those who have thought him an impressionist, for instance. So he was, as he recorded fleeting and momentary effects; but our critic points out that, as realism was the dominating note in the art and literature of his time, Whistler's realism never descended to the commonplace. In his realism, Whistler, unlike some contemporaries, never forgot that he was an artist.

Correspondence

Letters addressed to the Editors of The Outlook, to receive any attention whatever, must in all cases be accompanied by the name and address of the writer. Names will not be published if a request to that effect is made by the writer, but no attention, either personal or editorial, can be paid to anonymous communications.

Railway Rates and the Government

Shall Government Regulate All Prices?

To the Editors of The Outlook:

In seeking to extend the control of the Government over the railroads of the country, a principle must be established, under the commerce clause of the Constitution, that will be very far-reaching in its possible application. If the power to regulate railroad rates exists, it is not because the rates are made by the railroads, nor because the railroads are corporations, but because they are engaged in transporting property between the States. The same power of the Government to regulate must apply to every corporation, partnership, or individual engaged in inter-State commerce. Railroad transportation is not commerce; it is only a part, an incident, of commerce. The drayage of the property from the mill or the warehouse to the station to be delivered to the railroads is just as much a part of commerce as are its final transportation and delivery to the consignee.

Commerce, as the root derivation of the word indicates, means an exchange of goods, merchandise, or property of any kind; and all instrumentalities engaged in this exchange, whether railroads, corporations, or individuals, if the transaction is between persons of two or more States or foreign nations, must come under the same principle of the right of the Government to regulate commerce. It cannot be limited simply to transportation, for that is only a part of commerce.

If the Government may say what is a reasonable rate for transportation between States, may it not go further, and in the exercise of its power undertake at some time to regulate the cost at which the property transported is sold? May it not do so under the pressure of popular demand in the case of illuminating oil or anthracite coal? The power of the Government is certainly not limited simply to the cost of hauling the goods from one State to another, for that, as has been said, is only a part of commerce.

If the Government may regulate the railroad rate, may it not also regulate every factor that enters into the cost of the rate? As, for example, the cost of railroad operation; the compensation paid to officers and employees; the tax levied by a State or a municipality, or any of the elements making up the expenses of the railroad?

Will it be said that the rate for transporting ore, coal, coke, etc., etc., *to* a mill, and the rate for transporting the finished product *from* a mill to another State, may be subject to the control of the Government, but that the price of the product itself is exempt from any such control, when that is by far the most important element to the consumer? Of course it is not supposed that Government will ever intrude its powers to any such extent, even if they exist, although the inquisition of the Department of Commerce rather implies that it may do so. But does not the argument suggest how carefully the power to meddle in the business of the citizen—between

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buyer and seller—even if it is transportation, should be exercised? At the present time the constantly declining price at which persons and property are being carried teaches that the public, without Government regulation, is enjoying the benefits of the declining cost at which railroads are being operated, through the skill and economies of their managers.

In considering the transportation problems many dilemmas are encountered. The spirit and letter of the laws relating to it, all breathe most strenuously against discrimination between person and places, and most righteously so; but the laws just as strenuously declare that there must be no restraint of competition. Now, how can there be competition without some kind of discrimination? If everybody and every place is treated exactly alike, without any discrimination, where is the competition? A few years ago there was great competition among the railroads on the carrying of oil, and the result was the building up of the most tremendous monopoly the world has ever seen, in the Standard Oil Company. The competition for the business of that Company ruined innumerable refineries, and made the railroads the servants of the Company.

It seems impossible to reconcile the competition required by the Anti-Trust Act and the forbidden discrimination of the Inter-State Commerce Law.

The process of evolution will doubtless bring some kind of a just solution of the great problem that confronts us, but it does not appear in any of the methods yet suggested. A good deal of education has yet to be effected.

It will be a long time before people can be brought to believe it to be a crime to accept free transportation from a railroad or steamboat company, or that, when one wants to have his property carried by them, he has not the same right to bargain at what cost it shall be done as he had to bargain with the manufacturer or merchant for the price at which he bought them.

Until this offense against public policy or good morals is better apprehended than it is to-day, the people will be just as keen to make good bargains with railroads as they are with producers, manufacturers, or merchants. W. B. D.

St. Paul, Minnesota.

[The Outlook does not believe that competition in public utilities or public service corporations is advantageous or can be maintained by statute. For its views on the general subject see an editorial on another page. —The Editors.]

A Responsible Commission Needed

To the Editors of The Outlook:

I wish to offer a criticism on Mr. Morton's article on "Railway Rate Regulation" in The Outlook of January 14. Two points to which I will refer create an impression in my mind that Mr. Morton has not considered his subject as having any analogies in other public utilities. Furthermore, his remedy is illogical, because it extends and elaborates one of the principal difficulties of the present Inter-State Commerce Commission.

He declares that Government ownership "would be the beginning of industrial and political chaos." This would imply that transportation of merchandise is a feature of our social activities which occupies a class by itself. Is this true? If municipalities may own and operate facilities for transporting passengers, is the extension of this principle to the transportation of merchandise by the General Government unreasonable? Are not railroads and gas plants and navigable streams and postal routes and waterworks and submarine cables and electric roads and telegraphic routes all public utilities?

May municipalities own and control some of these utilities, but not others? And if some or all of these utilities, which are truly the people's arteries of trade, may be owned and controlled by the people of a municipality, may not the State own and control such of these utilities—arteries—as are necessary to connect the various municipalities within its borders? And if this is true, may not the General Government for the various States exercise a similar office in owning and controlling the arteries of trade and social intercourse between the States of the Nation? Does not our postal service transport our letters of social intercourse, shipping bills, invoices, accounts sales, bonds, stocks—auxiliary means without which transportation by railroads would be severely hampered? And yet, in respect to our postal service, there is not so much as a shadow of chaos in sight. Is the (approximately) equitable service in transporting the mails the limit of intelligence and trustworthiness of the General Government? Mr. Morton says, "No party in power could have such a strong political machine without in time becoming so intolerant and tyrannical as to breed ultimate revolution." Is there no apparent trend towards revolution with this power in the hands of private owners? His remedy is equally as hazy. He would continue the present Inter-State Commission, and instances of its failure to bring offending railroad companies to time he would refer to another set of men—a court "created expressly to consider and expedite, etc., etc.," the findings of this court to be final. Why? If it is a question of equity, why may not the finding of the present Commission settle the matter at once? Circumlocution and procrastination are conspicuous ills of the present system. Will a second court be less hampered and delayed by technical quibbling of trusts' attorneys than the present Commission? If it is really necessary to have a second court with a special view to "expediting and considering," why not a third? His suggestion concerning punishment for grantees of special rates as well as for gran-

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tors is to be highly commended. In my humble opinion, being naught but an obscure layman, the trouble with the present Commission, aside from its limited jurisdiction, is that the body is too small, too wieldy in the hands of the representatives of certain lights of the world, whose effulgent rays are too busy elsewhere to be brought into personal contact with an Inter-State Commerce Commission. Isn't so small a body as our present Commission more likely to become intolerant and tyrannical than would be a Governmental Department of Transportation with a Minister in the Cabinet?

Oberlin, Ohio. J. A. DEMUTH.

Dr. Grenfell, Surgeon, Master Mariner, and Missionary

To the Editors of The Outlook:

Will you not permit me to call the attention of your readers to the approaching visit of Dr. Wilfred T. Grenfell, of the Royal National Mission to Deep-Sea Fishermen, whose particular field is the coasts of Newfoundland and Labrador? Dr. Grenfell is not a missionary of the familiar type; he is less a preacher than a physician, and not more a physician than a philanthropist and industrial inspiration and organizer of the most sane and practical sort. Moreover, he is the devoted champion of the simple folk among whom he labors.

These folk inhabit some two thousand miles of what has been called by seamen "the worst coast in the world." What with fog, wind, reefs, and ice, navigation of those waters is a matter of extreme difficulty always, and often of hardship and dreadful danger. Nevertheless, in summer and winter, Dr. Grenfell manages to make his professional round—in summer by the little hospital ship Strathcona, in winter by means of dog-team and komatik. It is a proverb on the coast that he regards neither hardship nor peril.

The writer made a careful study of Dr. Grenfell's work; and he was not only persuaded of the desperate need of it, but convinced that it was being conducted in an extraordinarily efficient manner, and with the promise of much more than temporary effect. That work is deserving of every good man's support, in sympathy and in money. It needs much less sympathy than it needs money. It is the writer's hope that the series of addresses Dr. Grenfell is to deliver may be well attended, and that the interest aroused may manifest itself in substantial gifts. The man and the work are wholly to be trusted; the work is a man's work, and a man is doing it.

NORMAN DUNCAN.

New York.

[The readers of The Outlook who remember Mr. Duncan's sketch of Labrador life, "Our Harbor," which appeared in the issue of the 6th of last August, and those who have read his novel, "Dr. Luke of the Labrador," recently published, will need no assurance that he writes of what he knows. Mr. Duncan has been with Dr. Grenfell and has seen what a surgeon who with a fine faith attacks disease, wounds, and social wrongs can do in a desolate country. In "Harper's Monthly Magazine" for December Mr. Duncan has given a sketch of Dr. Grenfell's work. We remind our readers of the fact that Dr. Grenfell himself has told in The Outlook (July 18, 1903) what it means to be a surgeon "Among the Deep-Sea Fishermen." In the same issue The Outlook gave editorially an account of Dr. Grenfell's personality and the conditions among which he lives. If there is any better preaching of the Gospel than that of Dr. Grenfell, with bandages and antiseptic, with compass and with flour-barrels, as well as with Bible and sermon, The Outlook has yet to learn of it. —THE EDITORS.]

For Home Gardens

To the Editors of The Outlook:

Your readers who found interest and satisfaction in "A Story of Home Gardens" will be gratified to learn of the steady growth and expansion of the Home Gardening Association of Cleveland, Ohio.

The work began in 1900, and that year 48,868 penny packages of seeds were distributed among the public-school children of Cleveland. In 1904 the number was 181,000. During the last five years the Cleveland public-school children have bought over 590,000 packets of seeds, and what may be a matter of surprise is the fact that the local seed dealers find their sale of seeds increased.

Flower shows began with six in 1900; fifty-four were held in 1903. In 1900, 3,000 bulbs were sent to schools. In 1903, 40,000 bulbs were ordered by the schools. And so goes the marvelous tale.

The Association has, in addition, furnished seeds to a large number of outside schools and civic organizations, the number of packages last year aggregating 57,857. This year some 300,000 packages of seeds are available, orders for which must reach the Association before the 15th of February. The Annual Report, with its forty-four pages of valuable information and twenty-one half-tones, may be had by addressing The Home Gardening Association, 365 St. Clair Street, Cleveland, Ohio.

The Princeton public schools have benefited for the past three years by the kind offices of the Cleveland Association, and the gardens throughout the town have borne witness to the fertility of the seeds. Last autumn one could walk through a grove of cosmos which a penny package had planted, the beautiful rose and white blossoms opening to the sun far above one's head. The gladioli, too, were the delight of all beholders.

MARIAN JOHONNOT SCOTT.

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THE OUTLOOK WANT DEPARTMENT

is of great assistance to Outlook readers seeking *Positions* or *Business Opportunities*, or looking for *Help* in all the better grades. An advertisement in The Outlook Want Department is almost certain to bring results. *The rate for notices in this Department is* Five Cents *for each word or initial, address included. Orders should be sent (with remittance) at least ten days prior to publication.*

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TEACHERS wanted for fall vacancies. The best positions are filled early. Send to-day for information. Dixon Educational Bureau, 1420 Chestnut, Philadelphia.

COMPETENT woman of experience and executive ability desires responsible position; housekeeper or matron preferred. "Capable," 594, Outlook.

WANTED—By an experienced woman, position as matron of boarding school, or superintendent of a small hospital, managing housekeeper in a hotel or family of means. References. L. A. L., General Delivery, Buffalo, N. Y.

WANTED—Position of trust by a lady, thoroughly at home traveling, as companion, private secretary, or housekeeper. Address F. Van Ess, care Rev. Dr. Hoyt, Harlan, Iowa.

AN Englishwoman, highly recommended, desires position of trust in private family, competent to undertake entire charge of children's education and willing to assist in household management. J., Box 37, Passaic, N. J.

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KINDERGARTNER, experienced, wishes position; mother's helper or companion. References. 584, Outlook.

TEACHERS wanted, all branches, from primary to college grade. Address with stamp, International Teachers Agency, 2745 Eliot St., Denver, Colo.

ELDERLY invalid lady, living near New York, would correspond with a middle-aged companionable woman, possessed of some means, who would give her some daily care in exchange for a home, with perhaps some additional compensation. 570, Outlook.

WANTED—By a male nurse, a place as nurse or companion to an invalid gentleman. 568, Outlook.

WANTED—A woman, absolutely trustworthy, about thirty, well and strong, of even temperament, kind and gentle, as nurse and attendant to an elderly invalid. Special training less valued than good common sense, natural ability, and experience. Correspondence solicited. Address "Leroy," 188 So. Franklin St., Wilkesbarre, Pa.

WANTED—Man and wife in girls' school. New England. Wife housekeeper. 435, Outlook.

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FAMILIES and institutions in need of housekeepers, matrons, mother's helpers, companions, etc., address Miss Richards, 48 Lloyd Ave., Providence, R. I.

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HIGH-GRADE positions now open for competent men. Manager, $2,000; superintendent, $2,500; secretary, $1,200. Others on file. Write for particulars. Business Opportunity Company, 1 Union Square, N. Y.

WE need capable, experienced men to fill hundreds of high grade business and technical positions paying from $1,000 to $10,000. If you will write us what sort of position you can fill, we will tell you what we can do for you. Offices in 12 cities. Hapgoods, Brain Brokers, Suite 511, 309 Broadway, New York.

A competent man desiring to better his present position may learn, confidentially, of available openings through Business Opportunity Co., 1 Union Square, City.

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WANTED—Homelike boarding place in private family by elderly lady somewhat invalided who will require extra attention, for which she is willing to pay. New York City or nearby suburb. 591, Outlook.

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